

No. 255, of Dugger, Ind., favoring the passage of House bill No. 6565, known as the Grosvenor pure-fiber bill—to the Committee on Ways and Means.

Also, resolutions of Brotherhood of Railroad Trainmen No. 297, Toledo, Ohio, and Order of Railway Conductors No. 270, of Youngstown, Ohio, and Trade and Labor Council of Chillicothe, Ohio, favoring the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. HEPBURN: Resolutions of C. E. Boynton Lodge, No. 13, Brotherhood of Railroad Trainmen, of Eagle Grove, Wright County, Iowa, in support of the bill known as "the Foraker-Corliss safety-appliance bill"—to the Committee on Interstate and Foreign Commerce.

By Mr. HOPKINS: Petition of R. B. Hayes Post, No. 120, Grand Army of the Republic, Department of Illinois, for investigation of administration of Bureau of Pensions—to the Committee on Rules.

By Mr. KERN: Petition of sundry citizens of Carlyle, Ill., favoring House bills 178 and 179, for reduction of tax on liquor—to the Committee on Ways and Means.

Also, resolutions of Central Trades Labor Assembly of Sparta; Federal Labor Union No. 8533, of Marissa, Ill., and Arnold Lodge, No. 44, Locomotive Firemen, East St. Louis, Ill., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LACEY: Petition of citizens of Ottumwa, Iowa, for the appointment of a commission to investigate equal suffrage—to the Committee on Rules.

By Mr. LINDSAY: Resolution of Levi P. Morton Club, of Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Federation of Labor, favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. MAHON: Resolution of Colonel P. D. Housum Post, No. 309, Grand Army of the Republic, Chambersburg, Pa., in relation to the extension of the post-exchange system—to the Committee on Military Affairs.

Also, resolution of Broad Top Division, No. 158, order of Railway Conductors, Huntingdon, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. McRAE: Petition of Adams Division, No. 59, Order of Railway Conductors, of Texarkana, Ark., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MOODY of Massachusetts: Resolutions of Cigar Makers' Union No. 324, Riggers, Tarers, and Scrapers' Union No. 9599, of Gloucester, Mass., and Local Union No. 247, of Salem, Mass., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MOODY of North Carolina: Petition of citizens of the State of North Carolina in relation to the claim of Harvey M. Dickson, William T. Mason, The Dickson-Mason Lumber Company, and David L. Boyd against the United States for damages on account of a certain injunction suit brought against said parties by the United States—to the Committee on Claims.

By Mr. MOODY of Oregon: Petition of citizens of Malheur County, Oreg., relative to the leasing of public lands—to the Committee on the Public Lands.

Also, resolution of Miners' Union No. 42, of Bourne, Oreg., favoring a restriction of immigration and cheap labor—to the Committee on Immigration and Naturalization.

By Mr. MOON: Papers to accompany House bill 1269, in behalf of William D. Humbard—to the Committee on Appropriations.

Also, affidavits of R. H. Howard, H. F. Rogers, H. D. Huffaker, T. E. Abernathy, M. D., S. T. Fowler, Henry R. Jordan, and H. J. Springfield, to accompany House bill 8049, for the relief of H. J. Springfield—to the Committee on Invalid Pensions.

By Mr. MORRELL: Memorial by the National Association of State Dairy and Food Departments, in favor of uniform legislation for the conduct and operation of the said departments—to the Committee on Agriculture.

Also, resolutions of Shirt Waist and Laundry Workers' Union of Philadelphia, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBB: Resolutions of Federal Labor Union No. 9402, of Fredericktown, Mo., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolutions of Branches Nos. 16, 61, 208, and 344, and St. Valentine Branch, Societies of the Polish National Alliance, all of Buffalo, N. Y., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

By Mr. SCHIRM: Resolutions of Patapsco Lodge, No. 432; Baltimore, Md., Brotherhood of Locomotive Firemen, favoring the

passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. SHALLENBERGER: Petition of J. C. Den and other citizens of Arapahoe, Nebr., in favor of House bills 170 and 179—to the Committee on Ways and Means.

Also, papers to accompany House bill granting an increase of pension to Samuel L. Brass—to the Committee on Invalid Pensions.

By Mr. STEELE: Resolutions of Martha Washington Circle, No. 21, Ladies of Grand Army of the Republic, Marion, Ind., favoring a bill providing pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and increasing widows' pensions to \$12 per month—to the Committee on Invalid Pensions.

Also, resolutions of Union No. 227, Painters and Decorators, of Hartford City, Ind., for the exclusion of illiterate immigrants—to the Committee on Immigration and Naturalization.

By Mr. TAYLOR of Alabama: Resolutions of Gulf City Lodge, No. 437, Railroad Trainmen, of Mobile, Ala., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WACHTER: Petitions of citizens of Baltimore, Md., in favor of amendments to the bankruptcy act—to the Committee on the Judiciary.

Also, paper to accompany House bill granting a pension to Morris B. Slawson—to the Committee on Invalid Pensions.

By Mr. WANGER: Resolution of Graham Post, No. 106, Grand Army of the Republic, Pottstown, Pa., favoring the passage of House bill 3087—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill granting an increase of pension to David W. Reed—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Resolutions of Watkins Post, No. 68, and Captain James Ham Circle, No. 76, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, April 8, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

AMERICAN NATIONAL RED CROSS SOCIETY.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the secretary of the American National Red Cross Society, transmitting, pursuant to law, the annual report of that society for the year ended December 31, 1901. The Chair suggests that the communication and accompanying papers be referred to the Committee on Foreign Relations, and that only the typewritten part of the report be printed. Without objection, it will be so ordered.

COLUMBIA HOSPITAL FOR WOMEN.

The PRESIDENT pro tempore appointed Mr. McCOMAS a director, on the part of the Senate, of the Columbia Hospital for Women and Lying-in Asylum, under the provisions of the act of June 10, 1872.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 176) to provide for the extension of the charters of national banks.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10530) to repeal war-revenue taxation, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11353) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CURTIS, and Mr. LITTLE managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 1025) to promote the efficiency of the Revenue-Cutter Service;

A bill (H. R. 1011) granting an increase of pension to John S. Raulett;
 A bill (H. R. 1706) granting an increase of pension to John E. White;
 A bill (H. R. 2120) granting an increase of pension to Horatio N. Warren;
 A bill (H. R. 2124) granting an increase of pension to Dewitt C. McCoy;
 A bill (H. R. 3084) for the relief of bona fide settlers in forest reserves;
 A bill (H. R. 3180) granting an increase of pension to Edward S. Dickenson;
 A bill (H. R. 3418) granting a pension to Dennis Dyer;
 A bill (H. R. 5413) granting an increase of pension to Alfred H. Van Vliet;
 A bill (H. R. 6029) granting an increase of pension to Mary E. Kelly;
 A bill (H. R. 6466) granting a pension to Josephine M. Dustin;
 A bill (H. R. 6713) granting an increase of pension to Freeman R. E. Chanaberry;
 A bill (H. R. 7990) granting an increase of pension to Uriah Reams;
 A bill (H. R. 9301) granting an increase of pension to Barbara McDonald;
 A bill (H. R. 9821) granting a pension to John W. Moore;
 A bill (H. R. 10044) granting an increase of pension to William Larzalere;
 A bill (H. R. 10193) granting an increase of pension to John Hollister;
 A bill (H. R. 10289) granting a pension to Eliza Stewart;
 A bill (H. R. 10363) to authorize the establishment of a life-saving station on Ocracoke Island, on the coast of North Carolina;
 A bill (H. R. 11375) granting a pension to Charles F. Merrill;
 A bill (H. R. 11381) granting an increase of pension to Abraham N. Bradfield; and
 A bill (H. R. 11409) to authorize the construction of a traffic bridge across the Savannah River, etc.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore. The Chair presents a remonstrance from business men of San Francisco and the Pacific coast against the passage of the Chinese-exclusion bill in its present form, etc.

Mr. KEAN. I ask that it may be read.

The PRESIDENT pro tempore. The Senator from New Jersey asks that the telegram may be read. Is there objection? The Chair hears none, and it will be read.

The memorial was read, and ordered to lie on the table, as follows:

[Telegram.]

SAN FRANCISCO, CAL., April 8, 1902.

Hon. W. P. FRYE,
 President of Senate, Washington, D. C.

The exclusion of legitimate Chinese merchants that will result from the passing of the exclusion act now being debated in the Senate is an act of gross injustice to the mercantile and merchant interests of the Pacific coast, and of San Francisco in particular, and we hereby respectfully protest against such injustice and request that the bill be so amended as to freely and legitimately admit merchant class of Chinese. Any special committee insisting upon the exclusion of Chinese merchants does not voice the sentiment or desires of those interested in the mercantile welfare of San Francisco and in the development of the commerce of this port.

Claus Spreckels, Thomas Brown, J. W. Helman, W. H. Crocker, Chas. Webb Howard, A. H. Payson, P. N. Lienthal, J. A. Donohue, Ant. Borel, H. T. Scott, J. D. Grant, Jno. Parrott, G. W. Kline, Levi Strauss, Chas. Holbrook, Warren D. Clark, Percy T. Morgan, Leon Sloss, C. E. Green, C. Deguigne, John F. Merrill, W. C. Ralston, E. W. Hopkins, John L. Howard, A. F. Morrison, W. B. Bowen, H. C. Breedon, Geo. Abbott, S. C. Buckbee, Geo. A. Newhall, Geo. W. McNear, William Babcock, Bernard Faymouville, Geo. A. Pope, Alfred S. Tubbs, F. W. Zeile.

Mr. QUAY presented a memorial of the United Labor League of Western Pennsylvania, remonstrating against the enactment of legislation to license electricians and to regulate electrical wiring in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Wholesale Lumber Dealers' Association, of Pittsburg, Pa., praying for the enactment of legislation providing for the abolition of the foreign landing charge imposed by steamship companies upon lumber and other export products; which was referred to the Committee on Commerce.

He also presented petitions of G. Tucker Post, No. 52, Department of Pennsylvania, Grand Army of the Republic, of Lewisburg; of A. G. Reed Post, No. 105, Department of Pennsylvania, Grand Army of the Republic, of Butler, and of Cavalry Post, No. 35, Department of Pennsylvania, Grand Army of the Republic, of Philadelphia, all in the State of Pennsylvania, praying for the enactment of legislation providing pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and to increase the pensions of the widows

of soldiers to \$12 per month; which were referred to the Committee on Pensions.

He also presented a petition of American Flint Glass Workers' Union No. 36, American Federation of Labor, of Monaca, Pa., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. CULLOM presented a petition of sundry citizens of Peoria, of the Cigar Makers' Local Union of Galesburg, of the Plow Workers' Local Union of Springfield, of the Lathers' Local Union of Springfield, and of sundry citizens of Chicago and Galesburg, all in the State of Illinois, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of Amalgamated Societies of Engineers Nos. 594 and 595, of Chicago; of Branch No. 2, Amalgamated Society of Engineers, of Chicago; of Painters' Local Union No. 66, of Quincy; of Brushmakers' Local Union No. 6980, of Chicago; of Metropolis Federal Labor Union No. 9280, of Metropolis; of Federal Labor Union No. 8997, American Federation of Labor, of Salem, and of Lodge No. 499, Brotherhood of Locomotive Firemen, of Chicago, all in the State of Illinois, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. PATTERSON. I present a petition signed by 319 American citizens of Honolulu on the subject of Asiatic exclusion. It is short, and I should like to have it read and printed as a document.

There being no objection, the petition was read, as follows:

To the Senate and House of Representatives
 of the United States of America, greeting:

We, the undersigned citizens of the United States, do hereby represent—
 First. That the present and future prosperity of this nation depends in a great measure on the maintenance of the present high standard of living of its inhabitants.

Second. That this standard can not be maintained if the sphere of the American mechanic is invaded by the hordes of Asia, whose mode of life enables them to live comfortably on a sum which to an American would be a mere pittance.

Third. That at present fully 75 per cent of all the labor of the Hawaiian Islands, both skilled and unskilled, is being performed entirely by Orientals.

Fourth. That practically all the labor, both skilled and unskilled, which has been performed on buildings and grounds in this Territory for the Federal Government has been and is still being performed entirely by Japanese and Chinese, to the entire exclusion of competent American mechanics, who, by reason of these conditions, are at present forced into almost complete idleness.

Fifth. That the population of the Hawaiian Territory is 150,000, of whom the Chinese and Japanese number nearly 87,000, the Americans about 5,000, and the natives 37,000.

Sixth. That by rigidly excluding all Orientals from this Territory and from the United States conditions would soon become such that American citizens would be enabled to earn a living for themselves and families, which they are now practically unable to do on account of the deplorable and entirely un-American conditions now existing here.

Seventh. That, for the reasons above set forth, your petitioners earnestly ask that suitable legislation be framed the results of which would be—

First. The complete exclusion of both Japanese and Chinese or their descendants from American territory.

Second. The requirement that all labor of every description whatsoever which is performed for the Federal Government shall be done by, and only by, citizens of the United States.

And your petitioners will ever pray.

The PRESIDENT pro tempore. The Senator from Colorado asks that the petition be printed as a document. Is there objection? The Chair hears none, and it is so ordered.

Mr. CULLOM. I think it ought to be referred to the Committee on Pacific Islands and Porto Rico.

Mr. FORAKER. I suggest that it be referred to the Committee on Pacific Islands and Porto Rico.

The PRESIDENT pro tempore. It will be so referred.

Mr. HOAR presented a petition of sundry citizens of Byfield, Mass., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented petitions of Riggers, Tarers, and Scrapers' Local Union No. 9599, of Gloucester; of Textile Workers' Local Union No. 188, of Northampton; of Painters, Decorators, and Paperhangers' Local Union No. 247, of Salem; of Switchers' Local Union No. 44, of Brockton, and of Painters' Local Union No. 419, of Spencer, all in the State of Massachusetts, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a memorial of the West Newton Woman's Alliance and sundry other citizens of West Newton, Mass., remonstrating against the official regulation of vice in the Philippines and other island possessions of the United States; which was referred to the Committee on the Philippines.

Mr. DEPEW presented a petition of the Central Labor Union of Auburn, N. Y., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a petition of Maple City Division, No. 25, Order of Railway Conductors, of Ogdensburg, N. Y., praying for

the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was ordered to lie on the table.

Mr. COCKRELL presented a petition of Shirt Waist and Laundry Workers' Local Union No. 103, American Federation of Labor, of St. Louis, Mo., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of Lodge No. 54, Brotherhood of Locomotive Firemen, of Moberly, Mo., and a petition of Federal Labor Union No. 9402, American Federation of Labor, of Fredericktown, Mo., praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a memorial of sundry citizens of Humansville, Mo., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry citizens of Camden, Mo., remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a memorial of Cigar Makers' Local Union No. 233, American Federation of Labor, of Sedalia, Mo., remonstrating against any reduction being made in the import duty on cigars; which was referred to the Committee on Finance.

Mr. FRYE presented a petition of Federal Labor Union No. 9812, American Federation of Labor, of Maine, praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented the memorial of B. Lantry Sons, of Los Angeles, Cal., remonstrating against the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the petition of James Selden Cowdon, of Washington, D. C., praying that an appropriation be made to regild the statue of Freedom on the Dome of the Capitol; which was referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5695) granting an increase of pension to John M. Seydel;

A bill (H. R. 2981) granting an increase of pension to Thomas Findley;

A bill (H. R. 8782) granting an increase of pension to Myron C. Burnside; and

A bill (H. R. 2600) granting an increase of pension to Richmond L. Booker.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1486) granting an increase of pension to Charles A. Perkins;

A bill (H. R. 5258) granting an increase of pension to William Eastin; and

A bill (H. R. 11578) granting an increase of pension to John Gaston.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (H. R. 5102) granting an increase of pension to Margaret Baker, formerly Maggie Ralston, reported it with an amendment, and submitted a report thereon.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (H. R. 6081) granting an increase of pension to Frances T. Anderson, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6080) granting an increase of pension to Mariah J. Anderson, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2113) granting an increase of pension to Mary J. Clark, reported it with amendments, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 4973) to place Lieut. Col. and Bvt. Maj. Gen. Alexander Stewart Webb on the retired list of the United States Army, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (S. 4148) to grant certain lands to the city of Colorado Springs, Colo., reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 4938) granting a pension to Rhoda Burn-

ham, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 9986) granting an increase of pension to James Moore;

A bill (H. R. 9999) granting an increase of pension to George W. Guinn;

A bill (H. R. 11782) granting an increase of pension to Allen Hockenbury; and

A bill (H. R. 2994) granting an increase of pension to Eliza J. Noble.

Mr. MASON, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 11354) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1903, reported it with amendments.

PUBLICATIONS OF THE GEOLOGICAL SURVEY.

Mr. PLATT of New York. Yesterday I reported from the Committee on Printing a joint resolution (S. R. 74) relating to publications of the Geological Survey, and it was read, but went over on the objection of the Senator from Colorado [Mr. TELLER]. I ask for its consideration now, the objection having been withdrawn.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The PRESIDENT pro tempore. It was read to the Senate yesterday in full.

The joint resolution was reported to the Senate without amendment.

Mr. COCKRELL. Let it be again read.

The PRESIDENT pro tempore. It will be again read.

The Secretary again read the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

PRINTING OF PENSION MATTERS.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate, That the Public Printer be, and he is hereby, authorized and directed to print from stereotype plates 10,000 copies of extract relating to pension matters from report of the Secretary of the Interior for 1901, to be incorporated with copies of report of the Commissioner of Pensions for 1901, the printing of which has already been authorized, and to deliver the same to the Department of the Interior.

STATUTES RELATING TO PATENTS, ETC.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the resolution submitted by Mr. PRITCHARD on the 4th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That 600 copies of the report of the commissioners to revise the statutes relating to patents, trade-marks, etc., as revised, with index, be printed for the use of the said commissioners.

MASONIC FAIR AND EXPOSITION.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia to report a joint resolution, and, as it is a matter of some urgency, I ask that it have present consideration.

The joint resolution (S. R. 76) to authorize the Commissioners of the District of Columbia to issue certain temporary permits was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the Commissioners of the District of Columbia are hereby authorized to permit electric-light wires to be laid in existing conduits, and house connections between such conduits and Convention Hall, for the purpose of supplying additional light for the Masonic Fair and Exposition of 1902: *Provided*, That all such wires shall be removed on or before May 15, 1902.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. JONES of Arkansas introduced a bill (S. 5048) granting a pension to Thomas P. Allmond; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 5049) for the relief of Sylvester S. Van Sickle; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 5050) to remove the charge of desertion from the military record of Nathan Harris; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5051) to remove the charge of desertion from the military record of David Tyler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5052) granting an increase of pension to Gilbert Barkalow (with accompanying papers);

A bill (S. 5053) granting a pension to Deborah Edwards (with an accompanying paper);

A bill (S. 5054) granting an increase of pension to C. Judson Craighead (with an accompanying paper);

A bill (S. 5055) granting an increase of pension to Mary E. Phillips (with an accompanying paper);

A bill (S. 5056) granting an increase of pension to Henry Justus (with accompanying papers);

A bill (S. 5057) granting a pension to Joseph Jackson; and

A bill (S. 5058) granting a pension to Mary J. Shannon.

Mr. PROCTOR introduced a bill (S. 5059) granting a pension to May D. Liscum; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 5060) granting an increase of pension to Charles B. Williams; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MCENERY introduced a bill (S. 5061) granting an increase of pension to Alexander Gall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 5062) to authorize the county commissioners of Crow Wing County, in the State of Minnesota, to construct a bridge across the Mississippi River at a point between Pine River and Dean Brook, subject to the approval of the Secretary of War; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 5063) to authorize the appointment of a court crier for the United States circuit and district courts for the district of Minnesota; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5064) granting an increase of pension to Willis F. Matthew;

A bill (S. 5065) granting a pension to Jemima McClure;

A bill (S. 5066) granting a pension to Julia A. F. Bassett;

A bill (S. 5067) granting a pension to William F. Bungler;

A bill (S. 5068) granting an increase of pension to Ferdinand May; and

A bill (S. 5069) granting a pension to William H. Ellingwood.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 5070) to correct the military record of James A. Hanger;

A bill (S. 5071) to correct the military record of Joseph H. Johnson;

A bill (S. 5072) to correct the military record of Isaac Thompson; and

A bill (S. 5073) to correct the military record of Jacob Rinehart.

Mr. MONEY introduced a bill (S. 5074) for the relief of the heirs of Thomas Duty; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. QUAY submitted an amendment proposing to appropriate \$5,000 for grading around and about the Federal building at New Brighton, Pa., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PLATT of New York submitted an amendment proposing to appropriate \$90,000 for constructing, equipping, and outfitting, complete for service, a steam light vessel with a steam fog signal for use on the Cape Lookout Shoals, North Carolina, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. QUARLES submitted an amendment proposing to appropriate \$15,000 for the establishment of a light-ship to mark the shoal known as Peshtigo Reef, in Green Bay, Wisconsin, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. HALE submitted an amendment relative to sureties on bonds for the performance of contracts for works of river and harbor improvement, intended to be proposed by him to the river and harbor appropriation bill; which, with the accompanying memorandum from the engineer officers, was referred to the Committee on Commerce, and ordered to be printed.

Mr. PLATT of Connecticut submitted the following amendments, intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed:

An amendment proposing to increase the appropriation for the expenses of the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, from \$24,000 to \$29,800;

An amendment proposing to increase the appropriation for continuing the preservation, exhibition, and increase of the collections in the National Museum from the surveying and exploring expeditions of the Government from \$180,000 to \$200,000;

An amendment proposing to appropriate \$5,000 for the preparation of preliminary plans for an additional fireproof building to cost not exceeding \$2,500,000 for the United States National Museum;

An amendment proposing to increase the appropriation for the National Zoological Park at Washington, D. C., from \$80,000 to \$110,000, and providing that \$20,000 of this amount shall be expended in the construction of a boundary fence, including entrance gates;

An amendment proposing to appropriate \$30,000 for the construction of an elephant house at the National Zoological Park, Washington, D. C.; and

An amendment proposing to appropriate \$25,000 for the construction of an aquarium building at the National Zoological Park, Washington, D. C.

AGREEMENT WITH CREEK INDIANS.

Mr. DUBOIS submitted an amendment intended to be proposed by him to the bill (S. 4923) to ratify and confirm a supplemental agreement with the Creek tribe of Indians, and for other purposes; which was referred to the Committee on Indian Affairs, and ordered to be printed.

CHINESE EXCLUSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of Senate bill 2960, the Chinese-exclusion bill.

Mr. SIMON. I ask the Senator from Pennsylvania to yield to me for a moment.

Mr. PENROSE. I will yield to the Senator from Oregon after the bill is taken up.

Mr. HOAR. I hope we may have a little while with the Calendar. We make very good progress with the Calendar in these morning hours, and the Chinese-exclusion bill is sure of its right of way.

Mr. PENROSE. There are several Senators prepared to speak on the bill. It was delayed nearly all day yesterday, and the committee is extremely anxious to proceed with its consideration. After the bill is before the Senate it is my intention to yield to several Senators who I understand have bills which they desire to call up.

Mr. HOAR. I should like to have the amendment to the rules adopted which was reported from the Committee on Rules. I do not believe there will be any discussion of it. I think it will meet everyone's approval. I should like to have an opportunity to bring it before the Senate, if the Senator will allow me.

Mr. PENROSE. If the Senator from Massachusetts will permit me to get the bill before the Senate I will then yield.

The PRESIDENT pro tempore. The Senator from Pennsylvania moves that the Senate proceed to the consideration of Senate bill 2960, the Chinese-exclusion bill.

The motion was agreed to.

PROMOTION OF COMMERCE—PERSONAL EXPLANATION.

Mr. SIMON. Mr. President, on the 17th day of March the Senate voted upon the bill known as the ship-subsidy bill, upon a previous agreement that a vote thereon should be taken on that day. At that time I was not in Washington; I was at my home in Oregon. I had intended taking the usual steps and ask that a pair be arranged, as I was not in favor of the passage of that bill. My attitude on the subject, I think, was pretty generally known. I was anticipated, however, in this matter—that is, arranging for a pair, by the receipt of the following telegram, which I will ask the Secretary to read.

The Secretary read as follows:

WASHINGTON, D. C., March 11, 1902.

Hon. JOSEPH SIMON, Portland, Oreg.:

How shall we pair you on shipping bill? Vote to be taken Monday.

M. A. HANNA.

H. C. HANSBROUGH.

Mr. SIMON. To this telegram I made the following reply:
The Secretary read as follows:

PORTLAND, OREG., March 12, 1902.

HON. M. A. HANNA and HON. H. C. HANSBROUGH,
United States Senate, Washington, D. C.:

Do not approve the scheme involved in subsidy bill, and if present when vote taken would be compelled to vote against.

JOSEPH SIMON.

Mr. SIMON. The RECORD does not disclose that any pair was arranged for me. I do not criticise or find fault with either of the Senators for not having arranged a pair. Perhaps I was to some extent at fault in not having specifically requested that a pair be arranged, but I supposed from the fact that the question was asked me, "How shall we pair you?" that it would be done.

All I desire is simply to have the RECORD show that if present I would have voted against the bill; and I shall be quite content when this shall have been accomplished. I do not criticise either of the Senators or any action taken or not taken by either of the Senators mentioned in the telegram.

Mr. HANSBROUGH. Mr. President, I desire to make just a remark or two in regard to the statement made by the Senator from Oregon.

When the shipping bill was up for a vote an attempt was made to pair all absent Senators, and, having charge of the pairs on this side of the Chamber, I endeavored to secure a pair for the absent Senator from Oregon. The Senator has not a general pair, and I found it impossible to do so.

I thought this statement ought to be made in connection with what has been said.

Mr. SIMON. The explanation of the Senator from North Dakota is perfectly satisfactory to me. I was not aware of this effort to secure a pair before.

PUBLIC BUILDING AT BILOXI, MISS.

Mr. MONEY. I ask the Senator in charge of the Chinese-exclusion bill to give me an opportunity to call up for present consideration the bill (S. 1934) to provide for the purchase of a site and the erection of a public building thereon at Biloxi, in the State of Mississippi. It will take about a minute to pass it.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. MONEY. In line 12, on page 1, before the word "thousand," I move to strike out "seventy-five" and insert "one hundred and fifty." This amendment is accepted by the committee. The bill was reported as I originally presented it, but the Secretary of the Treasury writes that \$170,000 is necessary for the building. We have deducted \$20,000, and the committee accepts the amendment as I have presented it. It was intended, I believe, to so report the bill.

The PRESIDENT pro tempore. The Senator from Mississippi offers an amendment, which will be stated.

The SECRETARY. In line 12, page 1, before the word "thousand," strike out "seventy-five" and insert "one hundred and fifty;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Biloxi and State of Mississippi, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, not to exceed the sum of \$150,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF THE RULES.

Mr. HOAR. I ask the Senator from Pennsylvania, according to his suggestion, to yield to me that I may ask the Senate to lay aside informally the present order and to take up Senate resolution 179.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent for the present consideration of a resolution, which will be read to the Senate.

The Secretary read the resolution reported by Mr. HOAR from the Committee on Rules March 27, 1902, as follows:

Resolved, That Rule XIX be amended by inserting at the beginning of clause 2 thereof the following:

"No Senator in debate shall directly or indirectly by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator."

"No Senator in debate shall refer offensively to any State of the Union."

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

CHINESE EXCLUSION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

Mr. CULLOM. Mr. President, I desire to address the Senate in relation to the bill under consideration, and, in doing so, I shall give a brief history of the action of this Government in its treaty relations with China, and also in the enactment of laws by Congress in pursuance of those treaties.

At the conclusion of the war between China and Great Britain, in 1842, Great Britain forced China to give her many important commercial concessions by treaty. The United States being anxious also to obtain closer relations with China, sent a commission to that country, headed by Caleb Cushing, and on July 3, 1844, a treaty was signed between the United States and China, giving to the United States similar concessions to those which she had given England.

This was a general treaty of peace, amity, and commerce. Its purpose, as stated therein, was to declare a firm, lasting, and sincere friendship between the two nations. It gave to the United States the right to frequent five important ports in China, and provided for the protection of American citizens in China; and further provided specific rates of duty at which articles coming from the United States should be admitted into China.

Owing to the treatment of British subjects in China, in 1856 Great Britain and China were again at open warfare, Great Britain being determined to wrest further commercial concessions from China, religious freedom to all foreigners, the suppression of piracy, and many other important concessions. The United States declined to take part in the hostilities against China, but sent an agent to China to look after the interests of this country.

On the 18th of June, 1858, the agent of the United States signed a treaty, on behalf of the United States, which was intended to be a substitute for the treaty of 1844 and reiterated many of the articles of that treaty. This treaty again declared for a firm and universal peace between the two nations and conceded to the United States the right to have a representative in China who should have free access to members of the privy council and the right to visit the capital once a year. It provided for the protection of our citizens residing in China, both in their person, property, and religious faith, and that Chinese converts should be likewise protected; and it gave to the United States the benefit of the most-favored-nation treatment in every respect—commercial, navigation, political, or otherwise.

This treaty is still in force, excepting in so far as it has been modified by subsequent treaties and laws.

On November 8, 1858, two supplemental treaties were signed, one pertaining to claims and the other providing specifically the rates of duty to be imposed on articles imported into China by the United States and containing certain rules pertaining to the importation of articles into China from the United States.

Neither the treaty of 1844 nor the substitute treaty of 1858, with its two supplements, referred to the immigration of Chinese subjects into the United States, although there were quite a number of Chinamen here in 1858, as they commenced to come in considerable numbers shortly after the discovery of gold in California in 1848 and 1849.

But 1868 marked the beginning of a new epoch in our relations with China. In that year a delegation of Chinese officials, headed by Anson Burlingame, a prominent American diplomat, who had resigned his post as minister of the United States to China to accept a mission from China to visit the United States and other countries, came to this country. This delegation was received with great enthusiasm in all parts of the country; and, as I now remember it, they were received on the floor of the House of Representatives here in Washington, of which body I then had the honor of being a member. We were anxious at that time to cultivate a close friendship with China, and we were perfectly willing that the Chinese should immigrate to and settle in the United States.

Shortly after the arrival of the Burlingame commission, on July 4, 1868, a new treaty was signed, in the form of additional articles to the convention of 1858. The Senate ratified the new treaty or additional articles, and after much hesitation and urging on the part of the United States, under the administration of President Grant, China finally signified her adhesion to them and the treaty was proclaimed February 5, 1870.

While in the former convention between the United States and China their provisions had almost entirely related to citizens of the United States in China and their treatment therein, the treaty of 1868 contained a number of important concessions to Chinese subjects residing in the United States.

This treaty gave to China the right to appoint consuls at ports of the United States, and provided for reciprocal religious freedom of Chinese subjects residing in the United States and our citizens residing in China.

Article V and VI, however, are the important articles, and I will quote them:

ARTICLE V. The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects, respectively, from the one country to the other for purposes of curiosity, of trade, or as permanent residents. The high contracting parties therefore join in reprobating any other than an entirely voluntary emigration for these purposes. They consequently agree to pass laws making it a penal offense for a citizen of the United States or Chinese subjects to take Chinese subjects either to the United States or to any other foreign country, or for a Chinese subject or citizen of the United States to take citizens of the United States to China or to any other foreign country without their free and voluntary consent, respectively.

ARTICLE VI. Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities, or exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. And reciprocally Chinese subjects visiting or residing in the United States shall enjoy the same privileges, immunities, and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. But nothing herein contained shall be held to confer naturalization upon citizens of the United States in China, nor upon the subjects of China in the United States.

There seems to be nothing else reserved in that treaty except that the citizens or the subjects of either country shall not be naturalized in the other.

The treaty further provided that citizens of the United States in China and Chinese subjects residing in the United States should enjoy all the privileges of the public institutions of each country, respectively, and should have the right to establish schools, respectively, in the United States and China.

By this treaty we invited immigration from China and guaranteed those immigrants the same protection as we guaranteed the people of other nations coming to the United States. No distinction was made between Chinese laborers and other classes of Chinese. We invited them to come, and they accepted our invitation and came in large numbers and settled principally on our Pacific coast. That they assisted greatly in the development of the West and in the construction of railroads can not be doubted. While they built railroads and to a limited extent worked in the mines, they were principally engaged in menial work which it was difficult to procure others to perform. In 1860 there were 34,933 Chinese in the United States, and in 1880 there were 105,465.

We soon discovered, however, that we had made a mistake in the free admission of Chinese into the United States. The Chinese are a wonderful people in many respects. They have great powers of endurance, great industry, great patience, and they can work and live on so much less wages than white men that they become formidable competitors in all lines of work. They continued to come into the Pacific States in such large numbers that our people became alarmed, and the people and officials of the Pacific coast appealed to Congress to save them from what was termed "the yellow invasion." In 1879 Congress passed an act "to restrict the immigration of Chinese to the United States." The means adopted to secure this object was the limitation of the number of Chinese passengers which might be brought to this country by any one vessel to 15. The bill was passed by both Houses and was transmitted to the President for approval. President Hayes vetoed it, stating in his veto message that the bill as amended by the Senate included provisions which aim at and require the abrogation of Articles V and VI of the treaty with China of 1868. President Hayes's message concludes by saying:

I am convinced that whatever urgency might in any quarter or by any interests be supposed to require an instant suppression of further immigration from China, no reasons can require the immediate withdrawal of our treaty protection of the Chinese already in this country, and no circumstances can tolerate an exposure of our citizens in China, merchants or missionaries, to the consequences of so sudden an abrogation of their treaty protection. Fortunately, however, the actual recession in the flow of the emigration from China to the Pacific coast, shown by trustworthy statistics, relieves us from any apprehension that the treatment of the subject, in the proper course of diplomatic negotiations, will introduce any new feature of discontent or disturbance among the communities directly affected. Were such delay fraught with more inconveniences than have ever been suggested by the interests most earnest in promoting this legislation, I can not but regard the summary disturbance of our existing treaties with China as greatly more inconvenient to much wider and more permanent interests of the country. I have no occasion to insist upon the more general considerations of interest and duty which sacredly guard the faith of the nation, in whatever form of obligation it may have been given. These sentiments animate the deliberations of Congress and pervade the minds of our whole people. Our history gives little occasion for any reproach in this regard; and in asking the renewed attention of Congress to this bill, I am persuaded that their action will maintain the public duty and public honor.

R. B. HAYES.

Finding, therefore, that no action could be taken prohibiting the immigration of Chinese laborers into the United States unless we violated our treaty of 1868, in the consular and diplomatic appropriation bill of 1880 a provision was inserted appropriating \$34,000 for the salary and expenses of commissioners, interpreters, etc., to China in order to obtain modifications of the treaty of 1868, look-

ing to the prohibition of Chinese laborers. William Henry Trescott, of South Carolina; James B. Angell, of Michigan, and John F. Swift, of California, were named as commissioners plenipotentiary; and on November 17, 1880, they signed an immigration treaty with China modifying the treaty of 1868.

It was with great reluctance that China consented to this modification. The commissioners insisted that the unrestricted immigration of Chinese laborers into the United States was causing great embarrassment and dissatisfaction to our Government and among our people. The commissioners first insisted that the United States should be given the right to "limit, suspend, or prohibit" the immigration of Chinese laborers. The Chinese Government declined to so amend the treaty of 1868, but finally it signified its willingness to agree to a clause giving the United States the discretion "to regulate, limit, or suspend" the immigration of Chinese laborers into the United States, but refused to give us the right to absolutely prohibit such immigration. At the same time, as will be found in Foreign Relations of the United States, 1881-82, the commissioners on behalf of the United States made certain representations, which were reduced to writing at the request of China, virtually saying that the discretionary power given to the United States would not be unreasonably or oppressively exercised.

The Chinese commissioners asked the United States commissioners to give them some idea of the laws which would be passed to carry the powers given to the United States on the subject of Chinese immigration into execution. To this the United States commissioners replied that they could hardly say what laws would be passed; but that both nations would act in good faith, and that the United States might never find it necessary to exercise the discretionary powers given to them under the treaty, adding:

If Chinese immigration concentrated in cities where it threatened public order, or if it confined itself to localities where it was an injury to the interests of the American people, the Government of the United States would undoubtedly take steps to prevent such accumulation of Chinese. If, on the contrary, there was no large immigration, or if there were sections of the country where such immigration was clearly beneficial, then the legislation of the United States would be adapted to such circumstances. For example, there might be a demand for Chinese labor in the South and a surplus of such labor in California, and Congress might legislate accordingly. In general, the legislation would be in view of and depend upon the circumstances of the situation at the moment such legislation became necessary.

These explanations were accepted by the Chinese Government, and, as has been stated, the treaty was concluded on November 17, 1880.

That treaty provides, first, that it is the desire of the United States to negotiate a modification of the existing treaties "which shall not be in direct contravention of their spirit." It gives to the United States the right to regulate, limit, or suspend the coming or residence of Chinese laborers into the United States, "but may not absolutely prohibit it." It provides that the limitation or suspension will be reasonable, and that legislation taken in regard to Chinese laborers shall be of such a character only as is necessary to enforce the regulation, limitation, or suspension of immigration. It provides that Chinese subjects proceeding to the United States as teachers, students, merchants, or from curiosity, and Chinese laborers who were in the United States at the time of the making of the treaty shall be allowed to go and come of their own free will, and shall have the same treatment as citizens and subjects of the most-favored nation.

Those are the important provisions of the treaty of 1880. Less than a year after this treaty was proclaimed Congress passed an act designed to execute the provisions of the treaty. Some of the provisions of this act were in violation of the terms of the treaty, and President Arthur declined to approve it on that account and returned it to the Senate April 4, 1882, with a veto message, in which he said:

A nation is justified in repudiating its treaty obligations only when they are in conflict with great paramount interests. Even then all possible reasonable means for modifying or changing these obligations by mutual agreement should be exhausted before resorting to the supreme right of refusal to comply with them.

The message concludes by saying:

Experience has shown that the trade of the East is the key to national wealth and influence. The opening of China to the commerce of the whole world has benefited no section of it more than the States of our own Pacific slope. The State of California, and its great maritime port especially, have reaped enormous advantages from this source. Blessed with an exceptional climate, enjoying an unrivaled harbor, with the riches of a great agricultural and mining State in its rear, and the wealth of the whole Union pouring into it over its lines of railway, San Francisco has before it an incalculable future if its friendly and amicable relations with Asia remain undisturbed. It needs no argument to show that the policy which we now propose to adopt must have a direct tendency to repel oriental nations and to drive their trade and commerce into more friendly hands. It may be that the great and paramount interest of protecting our labor from Asiatic competition may justify us in a permanent adoption of this policy; but it is wiser in the first place to make a shorter experiment, with a view hereafter of maintaining permanently only such features as time and experience may commend.

Mr. President, I make these quotations simply for the purpose of reiterating the fact that we ought to adhere to our treaty obligations under all ordinary conditions at least. When we can not

prevail upon the other nation to make such treaty as we think we ought to have, then it will be time enough to disregard the treaty and abrogate it by act of Congress, but not before.

Congress then passed the act of May 6, 1882, which omitted the objectionable features of the act which was vetoed.

The act of May 6, 1882, provided that the coming of Chinese laborers into the United States should be suspended for ten years; but provided that this section should not apply to Chinese laborers who were in the United States November 17, 1880, and provides for the identification of such laborers by means of certificates. It also provides that no State court or court of the United States shall admit Chinese to citizenship.

The act of 1882 was soon found to be inadequate. It was found, as it is at present, that it is most difficult to obtain truthful testimony from Chinese laborers seeking to enter or claim a residence in the United States because of the utter disregard or perhaps the inability of Chinese witnesses to understand the obligations of an oath. The act of July 5, 1884, was then passed, which was a stronger act than the one passed immediately after the ratification of the treaty. This act declared that the certificate which the laborer must obtain "shall be the only evidence permissible to establish his right of reentry into the United States."

In reference to this act, and also the act of October 1, 1888, Mr. Justice Field, in 130 United States, Chae Chan Ping, stated:

The act was held by this court not to require the certificate from laborers who were in the United States on the 17th of November, 1880, who had departed out of the United States before May 6, 1882, and remained until after July 5, 1884; therefore the same difficulties and embarrassments continued with respect to the truth of their former residence. Parties were able to pass successfully the required examination as to their residence before November 17, 1880, who, it was generally believed, had never visited our shores. To prevent the possibility to exclude Chinese laborers being evaded, the act of October 1, 1888, was passed.

Prior to the passage of the act of October 1, 1888, however, negotiations were undertaken for a new treaty with China, allowing us to place further restrictions on Chinese immigration. A treaty was signed, transmitted to the Senate, and ratified by the Senate, with amendments. China refused to agree to the treaty as amended, and it was never proclaimed. Anticipating, however, that the treaty would go into effect, on September 13, 1888, an act was passed providing, among other things:

That from and after the date of exchange of ratifications of the pending treaty between the United States of America and His Imperial Majesty the Emperor of China, signed on the 12th day of March, 1888, it shall be unlawful for any Chinese person, whether a subject of China or any other power, to enter into the United States, except as hereinafter provided.

The ratification of this treaty never having been exchanged, this portion of the act did not become effective, and it is unnecessary for me to comment upon it.

On October 1, 1888, as I have stated, and before China had declined to accept the treaty as amended, Congress passed an act providing that from and after its passage it shall be unlawful for any Chinese laborer who shall at any time heretofore have been, or who may now or hereafter be, a resident of the United States, and who shall have departed or depart therefrom, and shall have not returned before the passage of this act, to return to or remain in the United States.

Section 2 provided that no certificates of identity provided for in the fourth and fifth sections of the act of 1882 shall hereafter be issued, and that all such certificates heretofore issued shall be void and the Chinese laborer claiming admission by virtue thereof shall not be permitted to enter the United States.

This act was in direct contravention of the stipulations of the treaty of 1868 and the supplemental treaty of 1880, and was so declared in the case of Chae Chan Ping, supra, by the Supreme Court; but the court held that treaties being of no greater obligation than acts of Congress the one last in date would control, and upheld the validity of the act. Of course, that will be so in this case. If this bill should be enacted and should be determined to be in violation of the treaty of 1894, of course the court would have to hold that the law, being last passed, should control.

The act of May 6, 1882, would have expired by its terms in ten years after its passage; but on May 5, 1892, the act now in force was passed and approved. This act provides that all laws in force prohibiting and regulating the coming of Chinese persons into this country are continued in force for ten years from the passage of the act. This act places the burden of proof on the Chinaman when arrested to prove his right to remain in the United States; or it adjudges him guilty until he proves his innocence, which is a reversal of the ordinary rule of procedure. It provides for the removal of Chinese illegally in the United States; and it also provides for the imprisonment of persons adjudged not lawfully to be entitled to remain here at hard labor, not to exceed one year, and thereafter to be removed. In other words, they are to be put in jail, kept there a year, and then sent home. It provides that no bail shall be allowed pending the disposition of the application of a Chinaman for a writ of habeas corpus.

It provides that all Chinese within the United States at the

passage of the act must apply to the collector of internal revenue for a certificate of residence, and that all Chinese laborers found in the United States within one year after the passage of the act without such certificate shall be deemed to be unlawfully in the United States.

This act also gives to the Secretary of the Treasury the right to make all necessary rules and regulations for its execution.

I may remark here that under this provision the Secretary of the Treasury has made some very stringent rules, as will be seen from the report of the Commissioner of Immigration.

The act of 1892, requiring Chinese laborers, etc., to register one year after its passage, it was contended worked a great hardship on hundreds of Chinese laborers in the United States. They employed eminent counsel, Messrs. Carter and Choate, of New York, who declared that the act of 1892 was unconstitutional, and thousands of Chinese laborers thereupon refused to register, as was provided in the act. The case was taken to the Supreme Court of the United States and the constitutionality of the act of 1892 was sustained by a divided court, Justice Field, Justice Brewer, and Chief Justice Fuller dissenting.

The decision of the court was made ten days after the expiration of the time for registration under the act of 1892; and therefore the amendatory act of November 3, 1893, was passed, by the first section of which the time for registration of Chinese laborers was extended for six months. The purpose of this act of 1893 was only to extend the time, as I have stated, but the House, through the influence of Pacific coast members—perhaps I ought not to say that—took occasion to add a number of additional restrictions on Chinese immigration. Senator Gray and others objected to these additional restrictions and stated that they would have preferred to have simply extended the time for registration, but they voted for the act, because if the act were not passed and the time extended several thousand Chinese persons, who had failed to register under advice of their counsel, would be subject to arrest and imprisonment for failing to register, as required by the act of 1892.

The act of 1893 defines "laborers" and "merchants":

SEC. 2. The word "laborer" or "laborers," whenever used in this act, or in the act which is an amendment, shall be construed to mean both skilled and unskilled manual laborers, including Chinese employed in mining, fishing, huckstering, peddling, laundrymen, or those engaged in taking, drying, or otherwise preserving shell or other fish for home consumption or exportation.

The term "merchant," as employed herein and in the acts of which this is amendatory, shall have the following meaning and none other: A merchant is a person engaged in buying and selling merchandise, at a fixed place of business, which business is conducted in his name, and who during the time he claims to be engaged as a merchant does not engage in the performance of any manual labor, except such as is necessary in the conduct of his business as such merchant.

It further provides that the Chinaman seeking to enter the United States on the ground that he was formerly engaged as a merchant in this country must establish by the testimony of two credible witnesses, other than Chinese, that he conducted such business for at least a year.

In 1894 a new treaty was negotiated between the United States and China. As stated by the Chinese minister, "to relieve the Executive from embarrassment," China consented to enter into the treaty of March 17, 1894, proclaimed December 8, 1894.

The treaty absolutely prohibits the coming of Chinese laborers into the United States, except under conditions therein specified, for a period of ten years. It provides that this restriction shall not apply to the return to the United States of any registered Chinese laborer who has a lawful wife or a parent in the United States, or property therein to the value of \$1,000. The act further provides that this restriction shall not apply to the rights at present enjoyed of Chinese subjects being officials, teachers, students, merchants, or travelers for curiosity, etc., but not laborers, of coming into the United States and residing therein; and that Chinese laborers shall continue to enjoy the privilege of transit across the territory of the United States to or from other countries, subject to regulation by the United States. The treaty also guarantees to Chinese, of whatever class, the same protection as is given by the laws of the United States to citizens of the most favored nation, except the right to become naturalized citizens. The convention is to remain in force for ten years, and if six months before the expiration of said ten years neither Government shall have formally given notice of its termination to the other, it shall remain in force for another like period of ten years.

This is our last treaty with China.

By the acts of July 7, 1898, and April 30, 1900, the immigration of Chinese into the Hawaiian Islands is prohibited; and it is also now prohibited, although not by act of Congress, in the Philippine Islands.

Mr. PLATT of Connecticut. By the act of the Philippine Commission.

Mr. CULLOM. Yes; by the act of the Commission, and not by act of Congress. Ex-Secretary Foster has gone over the bill

very thoroughly, and has, I think, clearly shown wherein it violates our treaties with China. Whatever may be ex-Secretary Foster's relations with the Chinese Government—I refer to that because I think some Senator stated that he was an employee of the Chinese Government, and therefore what he said ought not to receive so much consideration in this case—I have great faith in his judgment.

Mr. PLATT of Connecticut. I should think, Mr. President, that what ex-Secretary Foster says ought to be the more considered for the reason stated, if it be true.

Mr. CULLOM. Whatever his relation to the Chinese Government by employment or otherwise, I have great faith in Mr. Foster's judgment, and when he makes a statement I am inclined to think he is right, unless I know to the contrary.

It appears plain to me that the bill under consideration is a violation of our treaty with China. It is not only a violation of the spirit and general effect of that treaty, but in some instances it is a violation of the letter of the treaty.

I shall not attempt to go through this long bill of 53 pages in detail, but will call attention to only a few instances wherein, I contend, it comes in conflict with the treaty of 1894. Nor shall I dwell on the fact that we propose to, and are now, under existing laws, treating the Chinese as we treat the subjects of no other nation in the world, and as no other nation in the world treats the Chinese.

The very first section of the bill is in direct conflict with the treaty of 1894, and when the treaty of 1894 shall expire it will be in direct conflict with the treaties of 1868 and 1880. The first section provides that the coming of Chinese laborers from any foreign country to the United States, etc., shall be absolutely prohibited.

Mr. MITCHELL. Will the Senator from Illinois allow me? I will not interrupt him unless he is perfectly willing.

The PRESIDING OFFICER (Mr. BEVERIDGE in the chair). Will the Senator from Illinois yield to the Senator from Oregon?

Mr. CULLOM. Certainly.

Mr. MITCHELL. Suppose Congress took no action whatever until the treaty of December, 1894, actually expired, would it be a violation on our part of any treaty or of the provision of any treaty, does the Senator think, then to enact a prohibitory law?

Mr. CULLOM. My opinion is—and I confess I assert it with some degree of diffidence—that the treaty having been made simply for a period of years and the treaty of 1880 being indeterminate as to time, the treaty would be in force the moment this one died.

Mr. PLATT of Connecticut. The treaty of 1894 was in modification of the treaty of 1880.

Mr. CULLOM. Yes; the two are connected together, and I think the treaty of 1880 would be in force. If it were, and the bill you propose to pass becomes a law, of course it would abrogate that, as well as the treaty of 1894, in whatever respects it might conflict.

The treaty of 1894 provides in Article I thereof that the coming of Chinese laborers shall be prohibited for a period of ten years (with a possible extension of ten years, if the treaty is not terminated on notice). The bill under consideration contains no limit as to time; and of course it is the purpose of that bill to shut them out permanently, regardless of Article I of the treaty of 1894. It does not appear to me to be a sufficient answer to this to say that it is not necessary to fix any limit of time in this bill, because it will only remain in force so long as Congress wills, and may be repealed at any time. We certainly thought, in the passage of the acts of 1882 and 1892, that it was necessary to fix a definite time limit, and we fixed it at ten years. That seems to have been the idea of Congress then, because Congress limited the acts of Congress to the terms of the treaty, showing that they were trying to keep within the purview of the treaty while they were passing laws.

Mr. MITCHELL. There was no question then about the treaty of 1880 being in force?

Mr. CULLOM. No.

Mr. MITCHELL. And of course Congress aimed to keep within the treaty.

Mr. CULLOM. The point I make now is that they are not keeping within either treaty, as a matter of fact.

Mr. MITCHELL. I understand.

Mr. CULLOM. To determine whether this bill is a violation of our treaty with China we must determine what is the intention of Congress in passing the bill. Is it our intention to have it remain in force only so long as the treaty of 1894 shall remain effective, or is it our intention to have it remain in force permanently, regardless of our treaty? If we only intend it to remain in force until the expiration of our treaty, we had better amend the bill by inserting such a provision. If it is our intention to have it remain in force permanently, as a reading of the first section of the bill would indicate, then we have violated the plain letter of our treaty of 1894.

Article III of the treaty provides that the provisions of this convention shall not affect the right, at present enjoyed, of Chinese subjects—being officials, teachers, students, merchants, or travelers—for curiosity or pleasure, but not laborers—coming to the United States and residing therein.

Those terms—namely, officials, teachers, students, merchants, or travelers—are not defined in the treaty and are intended to be used in their ordinary sense. This bill gives to the words "teachers," "students," and "laborers" peculiar and unheard of definitions.

Section 6 of the bill gives a definition to the word "teachers" that was never contemplated by the treaty, so far as I can ascertain. It defines "teachers" to mean only those who for not less than two years next preceding their application for entry into the United States have been continuously engaged in giving instruction in the higher branches of education, and who prove to the satisfaction of the appropriate Treasury officer—a very good examination, I should think that would be—that they are qualified to teach such higher branches and have completed arrangements to teach in a recognized institution of learning in the United States, and intend to pursue no other occupation than teaching while in the United States.

Under this definition, the thousands of persons engaged in teaching our graded schools, below the high schools, would not be teachers, and the number of teachers in the United States would be very small indeed. The treaty never contemplated such a definition of the word "teacher." Under that section it would be necessary to establish boards of competent college professors at every port where Chinese enter the United States in order to pass on their qualifications. How many of our Treasury officials at the different ports of entry are competent to determine whether a Chinese teacher is qualified to give instruction in the higher branches of education? By Article VII of the treaty of 1868 we guaranteed to Chinese residing in the United States the right to establish and maintain schools within the United States. We are now proposing to pass a bill which will make it impossible for teachers, in the ordinary acceptance of that term, to come into the United States at all.

The present Treasury regulations do not authorize any such definition of "teacher," but merely provide, among other things, that a Chinese person is not entitled to admission as a teacher unless he can show that he has been actually following that avocation in China, or if, upon examination in various branches of education, it is found that he is not qualified to become a teacher, etc. There is nothing there in reference to higher branches of education.

Section 7 gives to the term "student" a definition not at all contemplated or authorized by the treaty. It defines a student to be only one who intends to pursue some of the higher branches of study, or to be fitted for some particular profession or occupation for which adequate facilities for study are not afforded in the country whence he comes, and for whose support while studying sufficient provision has been made, and who intends to depart from the territory of the United States immediately on the completion of his studies.

If such a definition is to be given to the word student, the number of students in the United States is comparatively small. Under this bill students, even after graduating from our highest institutions of learning, if they remained in the United States, would be subject to arrest and deportation. The treaty of 1894 never intended such to be the case.

The bill, as originally presented, made it necessary for a Chinese traveler to have arranged beforehand his itinerary in the United States; but I am glad to see that the committee has seen fit to strike out that provision.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Colorado?

Mr. CULLOM. Certainly.

Mr. PATTERSON. The Senator from Illinois has criticised the provisions of the bill that define "students." Would the Senator give the Senate the benefit of his definition of the term and the regulations that should be made for the purpose of carrying out that provision of the treaty. The Senator can well understand that unless some plan is suggested that under any one of these terms, "teachers," "students," "merchants," or otherwise, if they were permitted to remain in this country for an unlimited length of time, it might entirely undo the ends that are and have been sought to be attained through this legislation and through the treaties. For that reason we ought to have the Senator's idea of the limitations, at least, or the regulations by which the ends sought may in a measure be attained.

Mr. CULLOM. I can readily understand that it is somewhat difficult perhaps to make regulations which will not seem to be a little severe, but there seems to be a studied effort on the part of the committee in charge of this bill to make a measure under

which no Chinese can come into this country, even teachers, or merchants, or students, or anybody else.

Mr. PATTERSON. The object of the bill—

Mr. CULLOM. What I desire is that the bill shall be so framed that the plain intent of the law shall be allowed to have its sway. For instance, an honest man wants to come to this country to teach. The treaty does not confine him to the higher branches of study. Let us receive him, if we are going to let in any teachers at all, on some fair, reasonable basis of regulations and rules and laws, so that an honest man can get in here if we intend to allow them to come at all. If it is not a pretense that they shall get in, let us arrange it so that he can get in if he is an honest man and really wants to come here to teach.

Mr. PATTERSON. I wish to say to the Senator from Illinois, on the authority of a Treasury official, Mr. Dunn, a very intelligent and a very conscientious man, I believe, from what I saw of him, that the provisions in this bill relating to students are simply the regulations now in force, not the regulations as contained in the pamphlet, but the regulations that are now and have been for some little time in force. They found it necessary to adopt those regulations in order to prevent very material abuses of the authority to come in under the class of teachers. So the Treasury official, as members of the committee will justify me in saying, declared.

Mr. FORAKER. May I ask the Senator from Colorado a question there? I should like to inquire of the Senator from Colorado by what authority such regulations were made? I mean regulations restricting the natural meaning of the term "teacher" and the term "student." Those are words which have a well-defined meaning, which is given in all dictionaries, and that meaning is well understood by everybody; and certainly that well understood, common understanding as to the meaning of those words has been restricted by these regulations, and I want to know by what authority.

Mr. PATTERSON. I will state to the Senator from Ohio the reasons given by the Treasury officials, those who have had to do with the enforcement of the Chinese-exclusion law ever since any of the provisions have been in force, namely, that in the first place it was not presumable that Chinese were coming here to teach in our common schools, but if they came to teach they would come to teach in some of the colleges or institutions of higher learning in this country; that if it was anything short of that, so far as the term "teacher" is concerned, there would be such an evasion of the law that the law for the exclusion of laborers would be practically valueless.

When it comes to the matter of students, if you simply include under that term any person who wants to receive an education, you can readily understand that they would all want to receive an education, just as they are all willing to be Christians, if they are permitted to come into the United States.

Mr. CULLOM. If the Senator will allow me, suppose a Chinese boy wants to come here to attend the common schools, can he come in under these definitions?

Mr. PATTERSON. No.

Mr. FORAKER. He could come under the treaty, but he could not come under these definitions.

Mr. PATTERSON. He has the facilities for the usual and ordinary education of Chinese in his own land. Presumably there is no—

Mr. SPOONER. Suppose he wants something better than that?

Mr. PATTERSON. Then let him advance until he reaches the point where he desires to be educated in the higher branches of learning.

Mr. CULLOM. Is that the meaning of the treaty, does the Senator insist?

Mr. PATTERSON. That is the meaning of the treaty, and that is the meaning which has been placed upon it by the Treasury officials.

Mr. MITCHELL. The Solicitor of the Treasury has so held.

Mr. PATTERSON. That is the meaning which must be recognized, or else Chinese exclusion is a farce.

Mr. PLATT of Connecticut. I wish to ask the junior Senator from Colorado a question for information. I understood him to say that the definition in this proposed act in regard to "teachers" or "students," and I do not remember which, was copied from a Treasury regulation, not published in the regulations, but which had been made since. Are there any regulations about this matter which have not been furnished to us?

Mr. PATTERSON. The only regulation I have seen is the regulation contained in this yellow-covered book—*Laws, Treaties, and Regulations Relating to the Exclusion of Chinese*.

Mr. PLATT of Connecticut. But I understood the Senator to say that Mr. Dunn had said there were some subsequent regulations.

Mr. PATTERSON. No. In a conversation with Mr. Livernash last night upon this subject he said that the later regula-

tions are not contained in this pamphlet, and that the provisions of this bill were taken from the regulations as they existed when the bill was prepared.

Mr. PLATT of Connecticut. The reason I ask this; I asked the Assistant Secretary of the Treasury who is in charge of this matter if there were any regulations or decisions subsequent to those he had furnished me. I had heard that there were, and he, by telephone, said there were not.

Mr. PATTERSON. Mr. Livernash has been very active and he is very full of accurate information, as I have found. In the light of what the Senator from Connecticut says, of course I will say nothing further than what I have said until further investigation is made upon the subject.

Mr. CULLOM. Mr. President, I believe I was about to touch upon the question of Chinese travelers. A Chinese traveler is compelled to satisfy the Treasury officer that he is in possession of adequate funds for paying the cost of his intended travel. A very wide discretion is given the Treasury officer—one Treasury officer may have an idea of what funds are necessary and another Treasury officer may have a different idea. We will not be bothered with many Chinese travelers in the United States if this bill becomes a law, because the officers will so estimate the sum necessary to go across the country that it will oversize the pile which any of the Chinese will have in their pockets, and they will not get a chance to go across the continent at all. The fault I find with this bill is that it seems to be an effort, without positively saying so, to keep out of this country everybody who wishes to come here from China. I want the Chinese laborers kept out. That is what the treaty requires. But in doing so let us not violate every principle of fairness and right and of the construction of treaties to the extent that we will keep out merchants and students and teachers and everybody else whom we pretend we want to let in.

Mr. CLAY. Will the Senator allow me to ask him a question? Mr. CULLOM. Certainly.

Mr. CLAY. Could a Chinese physician, under this bill which we are now considering, desiring to come to this country, come in?

Mr. CULLOM. He could not at all. He is called a "laborer."

Mr. CLAY. One other question. If a banker or a manufacturer or a broker in China desired to come to this country, could he do so under this bill?

Mr. CULLOM. He could not. He is a laborer.

Mr. PLATT of Connecticut. How about a clergyman?

Mr. CLAY. Suppose a clergyman desired to come, could he get in?

Mr. CULLOM. As I understand it, he could not.

Mr. CLAY. As I understand it, there are four classes entitled to come in.

Mr. CULLOM. Officials, teachers, students, and merchants.

Mr. CLAY. And they are surrounded with certain conditions?

Mr. CULLOM. And they are surrounded with such conditions that they can not get in, either.

Mr. FORAKER. Let me ask the Senator a question. I am not familiar with the hearings before the committee. I have read them only in part. Has anybody ever testified, or has it been established in any way, that any injury has come to this country, or any class of people in this country, or any industry in this country from teachers and students and professional Chinamen coming here to reside?

Mr. TELLER. They do not come.

Mr. FORAKER. If they do not come, then, perhaps, we have had no experience on the subject; but the fact that they do not come, it seems to me, should not lead us to adopt a definition that could not have been within the intent of the framers of the treaty and which is not a fair definition of the language we have employed.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER (Mr. SIMON in the chair). Does the Senator from Illinois yield to the Senator from Colorado?

Mr. CULLOM. I yield to the Senator from Colorado to answer the Senator from Ohio.

Mr. PATTERSON. The Treasury officials testified that there was not a single one of the excepted classes under which any number of flagrant frauds had not been attempted and under which any number had not been successful.

Mr. FORAKER. Will the Senator allow me? That is not an answer to the question I propounded. I understand that these definitions have been adopted with a view to preventing people from coming in by false representation. I assumed that some teachers and some students had been coming into this country under the treaty. I assumed that during all the years it has been in force students and teachers had come here to a greater or less extent. I only wanted to know whether or not any harm has ever come to anybody of which any testimony has been afforded the committee on account of the coming here of any of these educated classes.

I wish to state frankly that while I believe in prohibiting the coming of Chinese laborers, while I approve that as the established policy and want to see it continued, I do not believe any injury will come to us from the visitation to our country of the educated classes of Chinamen.

Mr. PATTERSON. I recollect this statement by the Treasury official who labored with the committee while the bill was being perfected, that there was not a single case in which a ruling by Treasury officials as applicable to any of these excepted classes had been complained of; that the officials had been liberal in their construction of the rules, and they knew of no case in which injustice had ever been done, so far as concerned complaint from any Chinese governmental officer or from anybody else.

And, further, I wish to say to the Senator from Ohio that there is no effort on the part of the committee nor is it the purpose of this bill to exclude from the United States any bona fide members of the excepted classes. The rules and regulations have been adopted as experience has shown the necessity of adopting them for the purpose of preventing frauds, with attempts at which the Treasury officials are constantly confronted.

Mr. FORAKER. If I do not interrupt the Senator from Illinois unduly—

Mr. CULLOM. Oh, no.

Mr. FORAKER. I wish to say just a word in answer to the Senator from Colorado. I understood him to say, or some one to remark—perhaps it was the senior Senator from Colorado [Mr. TELLER]—that no students or teachers have come to this country.

Mr. TELLER. If I may be allowed to say a word, practically very few have come. Large numbers who are not students call themselves students, and large numbers call themselves teachers who are not teachers; but what I mean is, that while occasionally a teacher comes in I have never seen one in forty years' experience.

Mr. FORAKER. It is a great wonder that any teacher at all would come when such definitions have been insisted upon as those given by the regulations of the Treasury Department, for it seems to me if you read those definitions as they have been carried into this bill, they are sufficient to discourage any teacher from coming. We all know that students have come. There is not a prominent educational institution in the country, scarcely, which has not had Chinese students in attendance, and they have made good records.

Mr. TELLER. They have had no trouble to get in.

Mr. FORAKER. The trouble is to get into the country.

Mr. TELLER. No; there is no trouble to get into the country.

Mr. FORAKER. If the Senator will allow me, I do not complain at all of restrictive measures that will prohibit laborers from coming, but I do not want laws to be so restrictive that those whom we intend to allow to come in can not get into the country.

Mr. CULLOM. Now, I hope I may be allowed to proceed.

Mr. FORAKER. I beg the Senator's pardon.

Mr. CULLOM. Section 3, after giving a general and fair definition of the word "laborer," as meaning both skilled and unskilled manual laborers, Chinese persons employed in mining, fishing, huckstering, etc., goes on to provide that "every Chinese person shall be deemed a laborer, within the meaning of this act," who is not an official, a teacher, a student, a merchant, or a traveler for curiosity or pleasure, as thereafter defined. That answers the question of the Senator from Georgia. This absolutely closes out physicians, Chinese ministers, lawyers (if any there are), bankers, purchasing agents, and many other classes who are certainly not laborers, as we understand that term.

I wish to say here that the Chinese Government has been accustomed to sending purchasing agents over to this country to buy goods. They can not come under this bill; they are ruled out and are called laborers, and the result is that if we have any trade it is a marvel, and if we have any at all after this bill passes I shall be very much surprised.

Our only purpose in these treaties and our acts of Congress was to shut out Chinese laborers within the ordinary meaning of that term who might come in conflict with our own American labor. That is the purpose of the treaty, and, so far as concerns a law which confines itself to that particular class, it is all right to shut them out, and I believe in it.

There certainly can be no objection to Chinese physicians and other professional men, Chinese bankers, and there are many of that class, coming to the United States. In my own State, in the city of Chicago, we have a number of excellent Chinese physicians, some of whom are patronized by many Americans in preference to our own physicians. I am aware that some of our Western Federal courts (also the executive authorities) have been disposed to hold that Chinese laborers included all Chinamen other than those expressly excepted, namely, officials, merchants, teachers, students, and travelers. Some of these decisions are conflicting. For instance, a United States district court in Cali-

fornia has held an actor to be a laborer and not entitled to remain in the United States, while a United States district court in Illinois, with a full knowledge of the decision of the court in California, held that an actor was not a laborer within the meaning of our present treaties and laws, and was therefore entitled to remain in the United States.

The Senator from Oregon has discussed very ably this provision defining the word "laborer;" but I can not believe that the treaty of 1894 contemplated that Chinese physicians, bankers, purchasing agents, and others high in business and professional life should be included under the word "laborer," and should not be entitled to admission into the United States.

The sections of this bill pertaining to the excepted classes, especially to students, teachers, and travelers, will tend to prevent any of those classes from coming to the United States; and they are therefore violations of the treaty of 1894 and the treaty of 1880, by which we permitted officials, merchants, teachers, students, and travelers to enter and depart freely from the United States.

Article 2 of the treaty of 1894 provides—

Mr. MITCHELL. Will it disturb the Senator if I interrupt him? He has just passed from the point in his argument where he discussed the meaning of the treaty, as to what class of persons were excluded and what class of persons were permitted to come in, and he referred to some remarks I made the other day. I wish to call the attention of the Senator from Illinois to the final report of our commissioners who made the treaty of 1880, submitted to Secretary Evarts November 6, 1880. If it would not disturb the Senator, I should like to read just a few lines.

Mr. CULLOM. Certainly.

Mr. MITCHELL. It is as follows:

We desired, as you will see by the précis of the negotiation, to define with more precision exactly what all the negotiators on both sides understood by "Chinese laborers." But the Chinese Government was very unwilling to be more precise than the absolute necessity called for, and they claimed that in Article II they did, by exclusion, provide that nobody should be entitled to claim the benefit of the general provisions of the Burlingame treaty but those who went to the United States for purposes of teaching, study, mercantile transactions, travel, or curiosity.

Thus showing that the identical treaty now being construed by the Senator from Illinois was construed by the commissioners who made it, in their final report to the Secretary of State, to mean precisely what I claim it means, and the correspondence, moreover, between the commissioners of the respective nations shows the same thing. I will not interrupt the Senator too long, however, but will refer to that later.

Mr. FORAKER. On what page?

Mr. MITCHELL. On page 462 is the final report, from which I read. I can not at this moment put my hand on the page which contains the correspondence between the commissioners of the respective nations, in which the United States commissioners presented to the commissioners from China their meaning, the meaning, at least, that they desired to have inserted by proper language in that treaty. The Chinese commissioners at first objected, but mildly, and subsequently acquiesced. The result of the construction placed by the commissioners of the respective nations in the correspondence between the two and in the final report of our commissioners to our Secretary of State was to the effect that the treaty meant that only those were entitled to come to this country under the provisions of the treaty who were named as exempted classes.

Mr. CULLOM. I have not read the report of the commissioners who helped to make the treaty, but I read the treaty. I see nothing in the treaty which justifies such a construction. It can not be possible that those commissioners themselves will admit that they intended to exclude bankers, doctors, preachers, and every class of people under the head of laborers. It does not seem to me that it can be so.

Mr. MITCHELL. I will state to the Senator that that has been the practice of the Department in the execution of the treaty and in the execution of the law. They do not admit lawyers, doctors, and preachers, and they never have done so, because of the construction for which I contend.

Mr. CULLOM. There is nothing in the treaty that keeps them out, as far as I can read it. Article II—

Mr. PENROSE. I will say—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Pennsylvania?

Mr. CULLOM. I should like to get through.

Mr. PENROSE. I merely wanted to ask the Senator whether the treaty did not specifically provide for the classes that were not laborers, the exempted classes?

Mr. CULLOM. The treaty provides that laborers shall not be allowed to come in.

Mr. PENROSE. And it also provides for the classes themselves that may come.

Mr. CULLOM. It provides for teachers, students, and merchants. There is nothing said about the other classes, it is true, but it does seem to me that the ordinary acceptance of the term would not include in the treaty a prohibition of bankers, physicians, and that class of professional men.

Mr. PENROSE. Does not the Senator from Illinois know that the Chinese have no physicians in our sense of the word?

Mr. CULLOM. I do not know what the fact is.

Mr. PENROSE. Their medicines are in the most barbarous and in the crudest condition, and it is ridiculous to talk about admitting physicians when there are none in the whole Empire.

Mr. CULLOM. Article 2 of the treaty of 1894, providing for the prohibition of Chinese laborers entering the United States for ten years, does not apply to a registered laborer returning to the United States, providing he has a wife, child, or parent here, or property in the United States of the value of \$1,000, or debts of like amount due him and pending settlement. That is the provision of the treaty.

Section 10 of the pending bill practically repeats the above provision of the treaty, but provides that it shall be subject to a number of conditions. For instance, the marriage to the wife must have taken place at least one year prior to the application of the laborer for permission to return, and must be followed by continuous cohabitation; and in reference to debts it provides that the requisite minimum value is over all incumbrances, liens, and offsets; the debtor must be solvent; the debts must not consist of promissory notes, and it must appear, where family, property, or debt qualifications are relied on, that the applicant possesses them at the time of return to the United States as well as at the time of departure.

Article II of the treaty contains no authority for the enactment of these conditions. That article provides specifically just what the procedure shall be, and I do not think we would be warranted under the treaty in extending and making additional conditions from those contained in the treaty. Under this bill it would be rather risky for a Chinese laborer to leave the United States at all, if he ever expected to return, by the guaranty given him in the treaty. He might leave a wife or child on his departure from the United States, and if his wife died in the meantime he would not be permitted to enter (unless he also had a parent or child living or debts to the value of \$1,000). It seems that the distinguished committee who considered this bill was determined that no member of the Chinaman's family should die during his absence, that no debt should be paid, but that everything must remain exactly as he left it; otherwise he will not be allowed to return. The treaty does not authorize and never contemplated any such conditions.

Now, Mr. President, I will only refer to one more matter in connection with this bill.

Article II of the treaty of 1880 provides that Chinese subjects, whether proceeding to the United States as teachers, students, merchants, or from curiosity, together with their body and household servants, and Chinese laborers who are now in the United States shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights of citizens of the most favored nation; and Article III of the same treaty provides that all Chinamen, of whatever class, if meeting with ill treatment, that the Government of the United States will exert all its power to devise means for their protection and to secure to them the same rights, privileges, and immunities and exceptions as may be enjoyed by citizens of the most favored nation. Article III of the treaty of 1894 reaffirms the right of officials, teachers, students, merchants, or travelers to come to the United States on a certificate from their Government viséed by the diplomatic or consular representative of the United States in the country from whence they depart.

We have certainly by these treaties guaranteed to Chinese officials, merchants, teachers, students, and travelers the treatment of the subjects of the most favored nation, yet section 20 of the bill provides a system of registration and certificates of registration for those excepted classes, and provides that if they fail to obtain such certificates, in any proceeding inquiring into their status they are presumed to be laborers. There are many other stringent provisions in the bill pertaining to these exempt classes not in harmony with our guaranty to them of the treatment of the subjects of the most favored nation.

Now, Mr. President, I have gone over the different treaties with China since 1844 and the various laws passed on the subject of Chinese immigration. Those treaties and laws speak for themselves. They show very clearly what the general trend of public opinion has been in the last thirty years. Until perhaps 1878 we invited Chinese immigration; since then our policy has been to prohibit it. Many of the laws that we have passed are stringent and harsh. In the enactment of the act of 1888 we directly violated our treaty with China; and in the enactment of most of our laws on the subject we do not seem to have shown much regard

for the spirit of our treaties, even if we have generally adhered to their letter. But the threatened danger of great numbers of these laborers coming into the United States was, in the opinion of Congress, a sufficient excuse for their enactment.

Personally I am in favor of the absolute exclusion of Chinese laborers, in the ordinary meaning of that word, and the proper enforcement of the laws now on our statute books, and it seems to me that those laws are amply sufficient. I do not think that it would be wise for us to pass the bill under consideration, because I consider many provisions of that bill to be violations of our treaty relations with China. I admit, of course, that we have the right under the Constitution to pass laws in contravention of our treaties, and that those laws may supersede or abrogate an existing treaty—at least so far as our own municipal law is concerned—but such a course should be taken only in the most exceptional cases; and there is nothing in the present situation that makes it either expedient or necessary to pass a law in disregard of our treaty with China.

The question involved in our disposition of this bill is a very serious one. It is easy to adopt extreme views and favor extreme measures in dealing with China, but our great nation can afford to deal with the weak and the strong nations alike and do nothing in either case that is not upon a high plane of honor and dignity.

The statistics show that the Chinese population in this country is not increasing, but, on the contrary, is decreasing under the enforcement of the present law. Figures furnished by the Census Bureau show that in 1880 there were, in round numbers, 105,000 Chinese in the United States, in 1890 there were 109,000, while in 1900 there were 93,283. Gentlemen connected with the Bureau of Immigration have denied these figures and claim that there are 300,000 Chinese in the United States to-day. I assume, however, that the figures furnished by the Census Bureau, whose business it is to gather such statistics, should be taken as correct. But even if there were 300,000, is that a good ground for disregarding our treaty obligations when the treaty will expire in two years from now? It seems to me not.

Our trade and commerce with China are worthy of consideration in dealing with this subject. Under present conditions, if we do not close the doors to the commerce of China ourselves, it is as sure to come to the United States, and much of our trade go to it, as the sun shines upon us. The Hawaiian Territory, over 1,000 miles out from our California shores in the direction of Japan and China in the Pacific Ocean, is a part, in the fullest sense, of the United States. The great archipelago—the Philippine Islands—over which the sovereignty of the United States is proclaimed and very soon, I trust, will be recognized by all the people of those fertile islands, is still beyond and comparatively near to China. So we have opened the way, by establishing our outposts upon the sea, to make it easy for the United States to control the commerce of that country. So, Mr. President, from a purely selfish standpoint, it is our interest to keep faith with China in all that we do.

I am aware, Mr. President, that events have transpired in that ancient and weak Government which startled and almost paralyzed the civilized world during the last two years, and the nations yet look back at the condition which for months prevailed in that feeble Government, with its 400,000,000 subjects, with amazement and horror. But the Chinese Government apparently did the best she could to protect foreigners among them, and has agreed to do all that has been demanded of her by the nations in reparation for the outrages committed by her subjects upon the representatives of foreign governments, their families, and the citizens and subjects of the nations in that country.

Mr. President, I do not mean to be misunderstood in my position. My belief is that we ought not to pass any law in disregard of our treaty obligations; that we can continue the present law until the treaty of 1894 shall expire, if notice shall be given that this Government does not desire it to be continued another ten years; and in the meantime a new treaty may be agreed to which will abrogate any possible treaty stipulations against the absolute exclusion of Chinese laborers and which will permit us to enact such legislation as we may deem necessary for the protection of our country from the influx of these Chinese laborers into the United States.

I desire to say right here that if keeping out the Chinese laborers is not sufficient, let us adhere to our treaty obligations until they expire or until we regularly abrogate them and then pass such a law as the American people deem their interest to demand, and I will vote for it if it keeps every possible Chinaman from coming to our shores.

If China should decline to enter into a new treaty of this character, we might then be justified in going ahead and passing any law on the subject of Chinese immigration that we might choose. I recognize, of course, that in the absence of any treaty on the subject every nation possesses the absolute right to restrict immigration in any manner it may desire.

It is better to pass a law in reference to Chinese immigration

before our present laws expire next month. Still, if every law on our statute books prohibiting the immigration of Chinese laborers should expire to-day, the treaty of 1894 would prove a barrier against Chinese laborers coming into the United States. That treaty by its terms prohibits such immigration, and that treaty has all the authority and weight of an act of Congress under our Constitution. It is a part of our supreme municipal law without any additional act of Congress, and it would be the duty of the executive department to see to it, by such measures as they might find it necessary to adopt, that no Chinese laborer should enter the United States except as provided in the treaty.

Mr. PERKINS obtained the floor.

Mr. MITCHELL. Will the Senator yield to me for just one moment?

Mr. PERKINS. I yield first to the Senator from New Hampshire [Mr. BURNHAM].

ELEONORA G. GOLDSBOROUGH.

Mr. BURNHAM. I desire to call up the bill (S. 3421) for the relief of Eleonora G. Goldsborough.

The PRESIDING OFFICER (Mr. SIMON in the chair). The Senator from New Hampshire asks unanimous consent for the consideration of a bill which will be read for the information of the Senate.

Mr. TILLMAN. Will it not be necessary to temporarily lay aside the unfinished business? Can one bill be taken up in this way when another is under consideration?

The PRESIDENT pro tempore. Undoubtedly, by unanimous consent, the unfinished business is temporarily laid aside.

Mr. TILLMAN. It involves that, I suppose. I merely wanted to know what would be the parliamentary status.

Mr. MITCHELL. That was the request of the Senator from New Hampshire.

The PRESIDENT pro tempore. It was practically the request that the unfinished business be temporarily laid aside. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 8, after the word "death" to insert "with allowances for two years;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, instructed to pay to Eleonora G. Goldsborough, widow of the late Surg. Charles B. Goldsborough, of the Marine-Hospital Service, out of any moneys not otherwise appropriated, two years' pay at the rate of the salary he was receiving as surgeon at the time of his death, with allowances for two years.

Mr. SPOONER. I should like to inquire of the Senator from New Hampshire, what is the theory upon which this appropriation is supposed to be made?

Mr. BURNHAM. The bill as stated in the report is a peculiar bill. It stands upon an exceptional basis. The surgeon whose family are the claimants here was in the Marine-Hospital Service and was engaged there for some twelve years. He contracted a disease in the performance of an operation in the line of his duty, and died, as it appears by the statement, from the effects of the operation.

In 1898 there was an exact precedent for this bill in the case of Surg. John W. Branham. He contracted a disease, yellow fever, I think, after a service of about five months, which caused his death. Dr. Goldsborough had been in the service some twelve years. The Senator from Missouri [Mr. COCKRELL] objected to the bill and desired that this should be presented as an exceptional case and not form a general precedent, and so we have put it in our report in that way. We think it is exceptional, and the bill has the assent of the Senator from Missouri in its present state.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent; in which it requested the concurrence of the Senate.

CHINESE EXCLUSION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

Mr. PERKINS. I will yield to the junior Senator from Oregon [Mr. MITCHELL].

Mr. MITCHELL. By permission of the Senator from California, I wish to call the attention of the Senator from Illinois to one fact. The Senator has very properly stated the law when he says that a later treaty repeals a former treaty and a later law repeals a former law, or even a former treaty. That we all agree is good law. The Senator has stated that this bill violates, in his judgment, certain provisions of the treaty of 1880. I wish to call the attention of the Senator to a fact which I think is conclusive.

Mr. CULLOM. It violates the treaty of 1894.

Mr. MITCHELL. The treaty of 1880 was abrogated by the treaty of 1894, and the expiration of the treaty of 1894 can not bring back to life the treaty of 1880 or any provision of it. I know there is a rule of law to the effect that the repeal of a repealing act perhaps revives the act repealed, but that is not this case.

Mr. SPOONER. That was the old common law. It is not the rule here.

Mr. MITCHELL. It is not the rule, but even if it were it is not applicable here. This is a case where a solemn treaty has been entered into which absolutely abrogates and repeals a former treaty, and there is a limitation in the later treaty; it expires at the end of a certain time—in ten years. Under no conceivable circumstances can it be successfully contended that at the expiration of the treaty of 1894 life is blown into the treaty of 1880 again.

Mr. SPOONER. Will the Senator from Oregon allow me?

Mr. MITCHELL. Certainly.

Mr. SPOONER. I have not given this subject any examination, but I find here, and was reading it just before the Senator rose, a contention by ex-Secretary Foster, which is very plausibly maintained, that at the expiration of this treaty, Articles V and VI of the Burlingame treaty—

Mr. CULLOM. The treaty of 1868.

Mr. SPOONER. The treaty of 1868 will again come into operation.

Mr. MITCHELL. That is a different proposition. But while I know ex-Secretary Foster is capable of presenting almost any case very plausibly, at the same time I doubt the validity of the argument.

Mr. SPOONER. I have formed no opinion on the question.

Mr. CULLOM. Mr. President—

Mr. MITCHELL. But there can be no question, it seems to me—

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Illinois?

Mr. MITCHELL. Certainly.

Mr. CULLOM. My view has been that, as the treaty of 1880 was a permanent treaty, and as the treaty of 1894 was a ten years' treaty, a sort of suspending treaty, when that treaty had terminated by the expiration of the time the treaty of 1880 would remain in force. I believe that will be determined to be the law.

Mr. MITCHELL. It is clearly an abrogation of the treaty of 1880.

Mr. PENROSE. It was not maintained for one moment by Mr. Foster before the Committee on Immigration that the treaty of 1880 could ever be revived. I was somewhat astonished at the claim made by the chairman of the Committee on Foreign Relations that such a theory could be entertained. On page 36 of the testimony before the Committee on Immigration Mr. John W. Foster said:

The treaty of 1894 was substituted for that of 1880, and in its Article VI it is provided that "this convention shall remain in force for a period of ten years," with the usual provision for notice of termination.

Mr. Foster went on to explain with considerable elaboration our treaty relations with China, but at no point did he make the slightest claim that the treaty of 1880 could ever be revived. He did endeavor to set up the claim that Articles V and VI of the treaty of 1868 might be revived upon the expiration or abrogation of the treaty of 1894. The Senator from Illinois is the first in this controversy to claim that there is any life left in the treaty of 1880.

Mr. CULLOM. It is my judgment that when the treaty for ten years shall expire some portion of the treaty of 1880 and possibly of the treaty of 1868 will be in force.

Mr. PENROSE. The Senator goes far beyond the most extreme advocates and representatives of the Chinese in this controversy in that contention.

Mr. CULLOM. It is just a question of law with me. I do not care anything about what is claimed by representatives of the Chinese.

Mr. PATTERSON. Mr. President, I think it is well enough to understand the attitude of Mr. Foster upon these several treaties. I suppose upon questions of treaty law and treaty construction he is as safe an authority as we can turn to, and when he states that upon the expiration of the treaty of 1894 the treaty

of 1880 is not revived, but that certain sections or articles of the treaty of 1868 are revived, there is at least some good, solid foundation for the claim. That is the stand taken by Mr. Foster, and upon the theory that he is right (and we may presume that he is right until he is shown to be mistaken) we may very well understand what Articles V and VI of the treaty of 1868 are.

If, as Mr. Foster claims, these articles of the 1868 treaty are to be revived upon the termination of the treaty of 1894, then all the barriers which have been raised against Chinese immigration, which have been raised against Chinese laborers, and the whole horde of Chinese who would seek admission into this country are leveled to the ground.

These are the articles of the treaty which Mr. Foster says will be revived. His claim was that because in 1894 these articles would be revived, we would be guilty of a violation of our solemn treaty with China to continue our exclusive policy in any way; in other words, that since Articles V and VI of the treaty of 1868 are revived, any act of Congress that would exclude laborers, or any other class of Chinese people, that would not leave the entire population of China upon the plane that the population of other countries occupy under the favored-nation clause, would be a violation of our treaty obligations, and for that reason he objected, not to certain clauses and certain provisions in the bill now under discussion, but to the bill in toto, because it would be a violation of treaty obligations. This is what he says:

With this exact parallel before us, I need say no more to convince you that when the treaty with China of 1894 is terminated in 1904, Articles V and VI of the treaty of 1868 will again come into full force. They are as follows:

"ART. V. The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free immigration and emigration of their citizens and subjects, respectively, from the one country to the other, for purposes of curiosity, of trade, or as permanent residents. The high contracting parties, therefore, join in reprobating any other than an entirely voluntary emigration for these purposes. They consequently agree to pass laws making it a penal offense for a citizen of the United States or Chinese subjects to take Chinese subjects either to the United States or to any other foreign country, or for a Chinese subject or citizen of the United States to take citizens of the United States to China or to any other foreign country, without their free and voluntary consent, respectively.

"ART. VI. Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities, or exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. And, reciprocally, Chinese subjects visiting or residing in the United States shall enjoy the same privileges, immunities, and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. But nothing herein contained shall be held to confer naturalization upon citizens of the United States in China, nor upon the subjects of China in the United States."

Clearly breaking down all walls, opening the United States to as overwhelming an invasion of Chinese population as may see fit to come, with the only privilege denied them—and that privilege is denied also to the inhabitants of the United States residing in China—is the right to become American citizens.

Then Mr. Foster continues:

I think I have made it clear that these articles will, in the absence of any other treaty agreement, come into force in 1904, and I have therefore established my first proposition that any law passed by the present Congress, which continues the exclusion of Chinese laborers beyond 1904 will be not only without international authority but will be in violation of treaty stipulations.

That was the claim of Mr. Foster.

Mr. SPOONER. Will the Senator allow me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Certainly.

Mr. SPOONER. The Senator has examined this question, and he is a member of the committee and an able lawyer. If he will pardon me, I should like to ask him what is his opinion as to the effect of the expiration of the treaty of 1894 as to Articles V and VI of the treaty of 1868?

Mr. PATTERSON. I am frank to say that I have not given it independent investigation. I was not present when ex-Secretary Foster made his statement, but I find it here in the record. I do no more than take his interpretation of the several treaties.

Mr. FAIRBANKS. Will the Senator allow me to interrupt him? The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Indiana?

Mr. PATTERSON. Certainly.

Mr. FAIRBANKS. The statement has been made that this treaty will expire in 1904, but I do not think that is quite the case. It is not if we strictly follow its terms. The treaty may be denounced in 1904 by either party; but if it is not so denounced by giving six months' notice prior to the expiration of the first period of ten years, it will continue for another period of ten years; that is, until 1914.

Mr. SPOONER. But if we denounce it do we revive Articles V and VI of the treaty of 1868?

Mr. FAIRBANKS. That was not the point of my observation. I rose simply to say—

Mr. SPOONER. I understand, but the Senator is on the com-

mittee, and I have not examined the matter at all. I only asked for information.

Mr. FAIRBANKS. That is a feature of the subject which I have not examined with care; and I would not undertake to say. It was not at all necessary to determine that matter in the consideration of the bill before the Senate.

Mr. PATTERSON. The Senator from Indiana [Mr. FAIRBANKS] states correctly the provisions of the treaty of 1894; but, as stated by Mr. Foster, I think it may be accepted that, since China is opposed to the exclusion of its subjects by the United States, China will, within the six months fixed by the treaty, denounce the treaty. It is, therefore, of the highest importance that we should have affirmative legislation upon the statute books in anticipation of that event.

There is another reason why this bill as reported by the committee should be enacted into law, and why neither of the other bills reported, which simply propose to continue existing law in effect until 1904, should be permitted to take its place. It is this: Since the treaty of 1894 and the act of 1892 this country has acquired different possessions—Hawaii and the Philippine Islands.

There is a very large Chinese population in the Hawaiian Islands. There are seventy-five or eighty thousand Chinese of the pure blood in the Philippine Islands, and there are in the neighborhood of 750,000 mestizos—that is, Chinese of the half blood. Unless this law is enacted, or a law which covers Hawaii and the Philippine Islands, there will be no law which will interfere with the emigration of Hawaiian Chinese and Filipino Chinese into the United States. I imagine that the doctrine of domestic territory would apply to the population of those islands as well as to the matter of tariff duties, and, until Congress shall act by affirmative legislation, no rule or regulation can be enforceable that prohibits the incoming of Chinese to this country from the Philippine Islands.

Mr. PLATT of Connecticut. Will the Senator permit me?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. PATTERSON. Certainly.

Mr. PLATT of Connecticut. Does the Senator know of any instance in which a Chinaman has attempted to come from the Philippine Islands into this country?

Mr. PATTERSON. I have not been watching for instances of that kind.

Mr. PLATT of Connecticut. Does the Senator suppose that under our present law a Chinaman would be admitted if he did attempt to come?

Mr. PATTERSON. I do not see how he could be prohibited under the present law. Under the decision of the Supreme Court of the United States I am inclined to think—and I think it is a safe conclusion—that there can be no interdiction of the communication of the inhabitants of the Philippine Islands and of the United States to and from either the one country or the other, and the fact that Chinese may not have come—or they may have come for aught I know—does not in the slightest degree interfere with the imminent danger that will constantly exist if this Congress should adjourn without prohibitive legislation being placed upon the statute books.

Mr. BACON. I should like to ask the Senator a question.

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Georgia?

Mr. PATTERSON. Certainly.

Mr. BACON. Upon what line of argument did Mr. Foster base his opinion that the particular articles of the treaty referred to would be revived rather than any other articles of any prior treaty?

Mr. PATTERSON. As I said in response to the Senator from Wisconsin [Mr. SPOONER], I have not given the subject independent investigation.

Mr. BACON. I asked the Senator for information.

Mr. SPOONER. Mr. Foster based his view upon the ground that the treaty of 1894 suspended the operations of Articles V and VI of the treaty of 1868.

Mr. BACON. But did not abrogate them?

Mr. SPOONER. Did not abrogate them, but suspended them.

Mr. PATTERSON. It simply suspended them. As I have said, I have not given that subject independent investigation, and therefore do not desire to enter upon an independent argument. But, as I have suggested, if the claim that is made by Mr. Foster is true—I have not examined the treaty of 1868, but I suppose his claim must be true—then surely those two articles were simply suspended by the treaty of 1894 and the treaty of 1880, and the revival of those two articles must follow ex necessitate.

I want to call the attention of Senators to the situation in the Philippine Islands. It is of the highest importance that Treasury officials shall be sent to those islands for the purpose of supervising any laws that may exist there with reference to the ingress of Chinese. The only law there now is one that was issued as a

general order by one of the commanding generals, and in general terms was declared to be a law by the Philippine Commission.

But I am inclined to think, Mr. President, that there is not likely to be anything like an honest enforcement of that law in the Philippine Islands. Unless representatives and officials from the Treasury Department are sent to those islands, officials who are imbued with a conviction of duty, who believe that it is their duty to enforce the law honestly and impartially as it is found upon the statute book, we may well expect that with anything like peace in those islands there will be a tremendous trend of Chinese toward them. I have not made a calculation, but there must be at least 3,000 miles of seacoast in the Philippine Islands. They are more than a thousand miles from north to south.

Mr. BACON. Much more than that.

Mr. PATTERSON. Whatever they may be, I aim always to be conservative in my estimates, and that is quite enough.

The opportunity for access to the Zulu group, and then the migration from those islands up to those occupying a more northerly situation in the ocean, is without any impediment whatever, except the ordinary impediments of sea and land that interpose.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from South Carolina?

Mr. PATTERSON. Certainly.

Mr. TILLMAN. I would remind the Senator from Colorado that the Senator from Indiana [Mr. BEVERIDGE], who, I believe, made a visit to the Philippine Archipelago, in an elaborate, thoroughly prepared, and digested speech, which he made here on the future of that acquisition, declared that the natives were not fit for work or would not work; that they were lazy, and he indicated in express terms that the Chinese were to be the laborers of that country. His contention, if I recall it, was to the effect that in the development of the archipelago—as he pictured in glowing terms the exploitation of which they were capable, the rich mines and forests, and all that kind of thing, lying there waiting the hand of the reaper—the Chinaman was to be the laborer and the American capitalist was to be the person to bring him there. I merely wish to remind the Senator of that phase of this question.

Mr. PATTERSON. Whatever may have been said by the Senator from Indiana upon that subject is probably true.

We know from the testimony which has been given up to this time before the Philippine Committee—and it has been confined to Governor Taft and Army officers—that Filipino labor is not desirable or dependable from an American, Yankee, go-ahead standpoint. We know further that the chamber of commerce of Manila, I think it was, petitioned Congress for the admission of Chinese upon the ground that Chinese labor was necessary. We know that those who make investments over there desire labor that will not fail them on account of the debilitating climate, and for other reasons which have been given with great clearness; and that such labor is necessary to anything like the degree of prosperity which they wish to see in the Philippines.

There is unrelenting hostility between the native Filipino and the Chinese; but upon the part of the Europeans, upon the part of the Chinese mestizos, upon the part of the commercial classes and of those who claim to be there for the purpose of developing the islands there is a concurrence of opinion, as expressed, that the islands can only be properly developed by the use of Chinese labor. Therefore, I think it is safe to say, Mr. President, that the enforcement of any existing law in the Philippines will be lax to commence with. On account of the tremendous line of seacoast, with the utmost vigilance there can not be an effective barring out of the Chinese population. So that the Philippines, unless they are embraced within a Federal exclusion law and unless the coming of Chinese from the Philippine Islands to the mainland is prohibited, will simply be a stepping-stone between China and the United States, by means of which an almost unlimited Chinese population can reach this country.

So, Mr. President, I hope that no Senator who is sincerely in favor of Chinese exclusion, who is impressed with the necessity of protecting the white labor of this country, and especially of the Pacific coast and other sections of the United States which the Chinese may readily reach, from competition with Chinese will commit the grave mistake of resting satisfied with any measure that does not include exclusion from the Philippine Islands and then exclusion from the United States by way of the Philippine Islands. To make that at all effective it is necessary that there shall be a Federal statute, under which Treasury officials will be sent to the Philippine Islands for the purpose of enforcing the law.

I will not occupy any more time now; but, Mr. President, I think that it can be demonstrated, and I believe it will be before this discussion ends, that the provisions of this bill with reference to the excepted classes are in every wise reasonable, in view of the object that is to be attained.

I think we may say that there are a goodly number of Senators

who really do not want Chinese exclusion and who are expressing content with certain weakling measures, because such measures are the best that they can hope to obtain through this body; but, Mr. President, the Senators who favor Chinese exclusion, who are impressed with the enormity of the evil, who know the demoralizing influences of a Chinese group in any community, who comprehend what competition between Chinese wages with the wage that should be paid to the white laborer, and the depth of degradation to which a white laborer must descend whenever the price which he receives is to be fixed by the price that is paid to the Chinese, will have no hesitation in supporting this measure as it is reported from the committee.

The complaint is made, Mr. President, that under this bill a Chinese banker can not be admitted, nor a doctor, nor a lawyer, and, I suppose, neither would a Chinese astrologer come in; but it should be borne in mind that China, as one of the high contracting parties, agreed that all Chinese, except those constituting the five favored classes, should be excluded, not in terms, but so clearly and so logically that there is no escape from it.

In the treaty of 1894 the declaration is made—and let me read it, so that we may all have a fair understanding. Article I of the treaty of 1894 is an exceedingly short one, but it is very comprehensive. It says:

ARTICLE I.

The high contracting parties agree that for a period of ten years, beginning with the date of the exchange of the ratifications of this convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited.

The conditions that China saw fit to approve are afterwards specified, and let me read to the Senate what classes were made exceptions. I read the second article, and will then come to the one I have in mind now, for the purpose of showing the terms to which China through its plenipotentiary solemnly agreed.

The preceding article—

That is the one that absolutely excludes all Chinese except those that might be in the treaty thereafter specified.

ARTICLE II.

The preceding article shall not apply to the return to the United States of any registered Chinese laborer who has a lawful wife, child, or parent in the United States—

The exclusion does not apply to them; and this bill makes full, ample, and generous provision for the return of Chinese to the United States who, having been here and gone without, desire to return because they have here lawful wives, children, or parents—or property therein of the value of \$1,000, or debts of like amount due him and pending settlement.

The readmission of those classes is provided for in the present bill. Those with lawful wives, children, or parents; those who own property in the United States to the extent of \$1,000, or to whom is due the sum of \$1,000. The second article then goes on:

Nevertheless every such Chinese laborer shall, before leaving the United States, deposit, as a condition of his return, with the collector of customs of the district from which he departs, a full description in writing of his family, or property, or debts, as aforesaid, and shall be furnished by said collector with such certificate of his right to return under this treaty as the laws of the United States may now or hereafter prescribe and not inconsistent with the provisions of this treaty.

All of which is recognized and provided for in the bill now before the Senate. Then Article III provides:

The provisions of this convention shall not affect the right at present enjoyed of Chinese subjects, being officials, teachers, students, merchants, or travelers for curiosity or pleasure, but not laborers, of coming to the United States and residing therein. To entitle such Chinese subjects as are above described to admission into the United States, they may produce a certificate from their Government or the Government where they last resided viséed by the diplomatic or consular representative of the United States in the country or port whence they depart.

Then, it provides for the transit of Chinese laborers across the United States. If they leave China and happen to be in Canada and desire to go to Mexico, Chinese laborers may traverse the United States for the purpose of going from the one country to the other, or if they desire to go by way of the United States from China to any European country, they have the right of transit, and the right of transit is provided for in this bill.

When a treaty excludes all Chinese except certain excepted classes, and names those that are excepted, then, under every rule of construction, all are excluded except those expressly mentioned; and when it is complained that under this bill a banker or a physician or others can not come in, we have a right to say it is the fault of China, for China consented to a treaty which excludes them.

Now, without occupying more time on that subject and with reference to the regulations found in the bill, they were found necessary by the officers of the United States whose duty it is to enforce this measure. They discovered that there never was a truer statement made about any people than that of Bret Harte referring to the Chinese:

For ways that are dark
And for tricks that are vain
The heathen Chinese is peculiar.

The Chinese have certain peculiarities that make them desirable

for certain people. They are obedient. They are servile. They may be used without resentment as slaves and peons have been used. Kicks and cuffs and hard words have no particular terror to them. For some people a class of this character possesses peculiar charms, and the further we get away from the mass of the people the more we see in people of that character to please us.

There is a clamor in various localities and from certain classes for the unrestricted admission of Chinese, because the Chinese possess those traits which make men mean everywhere, but afford peculiar satisfaction to those who delight to dominate over their fellow-man. Since exclusion has been placed upon the statute books China and Chinese and the Six Companies have been found prolific in schemes to evade the law. And why? Because they come here under a peculiar contract system that makes it extremely profitable to those interested in Chinese immigration. And then there are great steamship lines and great railroad lines to and in the United States which see in the breaking down of the barriers incalculable profits in the carrying of Chinese, first across the ocean and then across the land, first in the steamer and then in railway car.

It has been said that capital is without conscience. We know, Mr. President, that when great dividends are in sight for great corporations, railroad, steamship, and other corporations, the moral law and the welfare of the human race get little sympathy from corporations when they can fill their coffers and reap immense gains. So we find in this country the representatives of great steamship lines, the representatives of great railway lines, the representatives of great industrial factories, those who want cheap labor. As the honorable Senator from North Carolina [Mr. SIMMONS] said yesterday, he has received from his State a petition from cotton factories urging him to vote against this measure.

Organizations of this character, wherever they may be found, whether upon the Pacific coast or the interior of the country, or on the Gulf or the Lake shores, are willing to disregard the welfare of the masses of the people—not only their physical, but their moral and their spiritual welfare. They stand ready to override every consideration which should control an American citizen imbued with a proper appreciation of American manhood in order to get the benefit of cheap labor, although in getting it they degrade men of their own race and blood and fill their country with moral lepers, who would contaminate its manhood from ocean to ocean if there were enough of them here.

The honest, genuine, bona fide opposer of Chinese exclusion will find nothing in this bill to offend him. Why this great solicitude for the Chinese? I take it we are doing no injustice to the Chinese when we keep him at home. If you think of his own pleasure and happiness, there is every reason to believe that they will be more enhanced at home among friends, with his own kith and kin and those of his own caste, than here in the United States, in the midst of a hostile population, a population in which he is held as a degraded being and looked upon as an outcast and an interloper. So, if you have in mind the welfare of the Chinaman, there is no reason why you should seek to bring him to the United States.

I am not prepared to say that if we were to open our doors to the Chinese but that we would find a little more favor in the eyes of the Chinese governing masses. Perhaps some people would make more money; perhaps some enterprises might be able to sell more of their products; but is that all there is in life? I take it the Chinese Empire by this time is absolutely reconciled to the policy of exclusion which has been in force in the United States now since 1880, and no law that has for its object the honest enforcement of provisions adopted by a solemn treaty with China is going to offend the Empire more than it has been offended. It is reconciled.

I take it, Mr. President, that the attitude of the United States toward the integrity of the Chinese Empire is of far greater moment to China and to Chinese citizens than is any particular clause or provision that may be placed in our exclusion law, and if the United States continues the policy it has maintained up to this time of standing for the integrity of China, of opposing the schemes of European governments with which they would disrupt the Empire and divide its territory as the garments of the Sainted One of old were divided amongst the crucifiers, there will be no trouble upon the score of trade and commerce between China and the United States.

China, in the language of its treaty, recognizes that there is an ineradicable hostility upon the part of the American population, or at least a very large part of the American population, to the people of its Empire. In solemn treaty it has agreed that such is the case. In solemn treaty it has agreed that they shall be excluded. Therefore there is no danger of offending either the Chinese Government or its commercial classes by adopting a rigid and honest policy of enforcing what has been deliberately agreed upon between it and the United States.

Let the United States continue in the future as it has in the

past to act the part of an honest arbiter, recognizing the right of the Chinese Government to exist and the benefits of the integrity of the Chinese Empire; wherever it may, intervening its strong arm to prevent its disruption and the heaping of odium and indignity upon its ruling classes, and I take it that our commerce will not suffer, our trade will not be diminished, but that, on the contrary, they will advance and expand, while those who are seeking to make a prey of the Empire will suffer by the diminution if not the destruction of their commerce.

Mr. President, there is no violation of treaty rights in this bill. I was glad that in another Chamber it was adopted with such unanimity.

Mr. PERKINS. Mr. President, as I have the honor to represent in part a State on the Pacific slope, and live in a great commercial city, the entrepôt for perhaps 75 per cent of the Chinese who have come into the United States, a city which is the headquarters of the Six Consolidated Chinese Companies, which are virtually those that bring the Chinese to this country, which make the laws for them while they are here, which direct the Chinese throughout our State, and one of which companies is usually the contractor for the Chinese employed in irrigation on railroads, in great mining camps, and in the forests, it seems to me that perhaps it is not improper that I should relate to the Senate in a conversational way my own observations and experience during the forty years or more that I have been brought in contact with this undesirable class of immigrants who have come into the country.

Mr. President, I think there can be no doubt that nine out of every ten men and women in the United States believe that there should be placed restrictions more or less rigorous on Chinese immigration to this country. The better the opportunities for learning what the Chinese are and what effect their presence in large numbers would have in this country the greater is the proportion of Americans who believe in restrictive measures and the more rigorous they believe those restrictions should be. Whereas in the far Eastern States, whose people have been able to see little or nothing of Chinese life, customs, and habits, and where is found a morbid sentiment based on the assertion of the Declaration of Independence that "all men are equal," there may be found a considerable number of Americans who are willing to welcome among them such numbers of Chinese as are willing to come—on the other side of the continent, which has borne the brunt of the Chinese invasion, the voice of the people is practically unanimous in favor of exclusion. The State of California at a general election once voted on this question, and the result was 154,638 against immigration and 883 in favor. And even among the strongest pro-Chinese advocates there will ever be found, I think—as there must be among intelligent Americans who give any consideration to the question—an intimation that what they so earnestly demand might under some circumstances be improper to grant. In fact, there is a weakness in their position of which they are so conscious that they can not help revealing it.

SIGNIFICANT ADMISSIONS.

Hon. John W. Foster, who appeared before the Senate Committee on Immigration in opposition to this bill, when pressed for an answer, said that he thought it "a wise thing to have a reasonable exclusion" of Chinese laborers, and Mr. Stephen W. Nickerson, representing the "opinion of a public (pro-Chinese) meeting" in Boston, was, I think, conscious of this weakness when he said that "even while this policy (of impartiality in treatment) does not always seem true in special instances nor in view of some temporary considerations, yet, we believe in the long run it is true." Mr. Nickerson said that while the people of his State have "always been a little theoretical for right" they have "also been practical for trade," yet the Arkwright Club, of Boston, which, representing textile manufacturers of New England, might be expected to be very "practical for trade," in a communication to the committee states that it recognizes the fact that "the laws against the admission into this country of that class of Chinese (laborers) can not be too stringent."

Thus the student of the political bearings of the question, the advocates of the moral obligations of the United States toward Chinese immigrants, and the representatives of those American industries which are most interested in trade with China, give evidence that they realize the fact that unrestricted Chinese immigration would be an evil. And this realization comes to every one, I think, whether, in considering the question, a "little theoretical for right," anxious to extend his trade, or fearful of political complications. The consideration of the problems by those of our Presidents who have had occasion to deal with them, has led to the same conclusions.

OPINIONS OF OUR PRESIDENTS.

President Grant, in a message to Congress, said:

I call the attention of Congress to a generally conceded fact that the great proportion of Chinese immigrants who come to our shores do not come voluntarily to make their homes with us, and their labor productive of general prosperity, but come under contracts with headmen, who own them almost

absolutely. In a worse form does this apply to Chinese women. Hardly a perceptible percentage of them perform any honorable labor, but they are brought for shameful purposes, to the disgrace of the communities where settled, and to the great demoralization of the youth of those localities.

President Harrison said in a message to Congress:

While our supreme interests demand the exclusion of a laboring element which experience has shown to be incompatible with our social life, all steps to compass this imperative need should be accompanied with a recognition of the claim of those strangers now lawfully among us to humane and just treatment.

President Cleveland, in messages to Congress, said:

That the exclusion of Chinese labor is demanded in other countries where like conditions prevail is strongly evidenced in the Dominion of Canada, where Chinese immigration is now regulated by laws more exclusive than our own.

Chinese merchants have trading operations of magnitude throughout the world. They do not become citizens or subjects of the country where they may temporarily reside and trade; they continue to be subjects of China.

Much of this violence (against Chinese) can be traced to race prejudice and competition in labor. * * * In opening our vast domain to alien elements the purpose of our lawgivers was to invite assimilation and not to provide an arena for endless antagonism. The paramount duty of maintaining public order and defending the interests of our own people may require the adoption of measures of restriction.

The experiment of blending the social habits and mutual race idiosyncrasies of the Chinese laboring classes with those of the great body of the people of the United States has been proved by the experience of twenty years, and even since the Burlingame treaty of 1868, to be in every sense unwise, impolitic, and injurious to both nations. * * * The admitted and paramount right and duty of every government to exclude from its borders all elements of foreign population which for any reason retard its prosperity or are detrimental to the moral and physical health of its people must be regarded as a recognized canon of international law and intercourse.

PUBLIC OPINION ADVERSE TO CHINESE IMMIGRATION.

It must, I think, be conceded that intelligent public opinion is opposed to Chinese immigration. The reasons are not far to seek. They are fundamental—racial—and are bound to make themselves felt in spite of theories as to moral obligations or the assumed needs of foreign trade. They bring to the front again that pitiless truth of the survival of the fittest. In the question of life or death which is involved the moral theories of the pro-Chinese advocates can scarcely have that weight which would be theirs were the future of our institutions and our race on this continent in no danger. When two races so radically different as Chinese and Americans freely intermingle in large numbers, there must either be assimilation or the subjection of one to the other.

The experience of the United States for fifty years, and of other countries for far longer periods, proves conclusively that the Chinese are not assimilative. Witness the Chinese colonies in San Francisco, Hongkong, Manila, Singapore, Penang, and Malakka. Their racial tendency is more strongly opposed to amalgamation with other races than that of the Hindoo or the Parsee. Far into future history they will be what they now are, in racial tendencies stronger than will or desire, and will remain aloof from all other peoples. If they are not assimilative they can be only a foreign body within our borders, and must, in the nature of things, either suppress or be suppressed. That alternative would surely come with unrestricted influx from China, in isolated communities at first, the struggle extending as the disparity in numbers decreased. Put 500,000 Chinese in and around Boston and there would be no more pro-Chinese mass meetings at which the bill of rights of Massachusetts could be invoked. Rather would their be raised the well-remembered slogan of Denis Kearney; and if the men of Massachusetts were not degenerate from colonial times, Boston Harbor would be filled with other products of the Flowery Kingdom than tea.

A STRUGGLE FOR SURVIVAL.

In the contest for survival between the American and the Chinese the latter has an overpowering advantage. Centuries before there was an Anglo-Saxon the Chinese had gained their present characteristics. Thousands of years of exclusion of all other peoples had made them unassimilative. Their country, walled against the external world, which they regarded with contempt, became crowded to the limit of support, and universal poverty was the result. For thousands of years the people of China have been compelled to live on the scantiest of means, and the result is a race—the fittest only surviving—which is probably capable of sustaining more hardships, of living on cheaper food, of needing less clothing and shelter, of having fewer wants, and the lowest estimate of life, as a whole, of any civilized people. They are, therefore, capable of entering into competition with any race on earth with the chances in favor of their ultimate supremacy. To attempt to meet the Chinese on their own ground would mean decimation at once. No other civilized people could endure were it to adopt the Chinese standard, and that standard they would have to adopt were they to compete at all.

Such are the Chinese whom we seek to exclude from our shores—the Chinese belonging to that vast body of China's inhabitants which are ground between the exactions of the few officials and men of wealth and the limitations in the productiveness of the soil. They form the class from which come to us the Chinese

who underbid our own workmen in every calling in which they see fit to engage. They are fitted to successfully enter into competition with labor in all parts of the United States. Here they find conditions which, at their worst, are far better than any they could find in China.

CHINESE AS INDUSTRIAL COMPETITORS.

The late Consul-General Wildman, in a report to the State Department December 27, 1900, says:

As long as labor has almost no value and flesh and blood is the cheapest thing on the market, I can not recommend American manufacturers to waste good printing matter and postage stamps on so impossible a field. * * * The majority of the peasantry live at the rate of from 2 to 5 cents a day.

Two salient characteristics of the Chinese which alone would render them unfitted to become residents of this country are pointed out by United States Consul Henry B. Miller, of Chungkiang. He states that—

The main thought in Chinese economy seems to be to find a place for a man to get wages, however small, regardless of whether he earns them or not. The idea that a man should be employed on the basis of his earning power and capacity is unknown.

Williams R. Wheeler, representing the Pacific Coast Jobbers' Association, in his testimony before the Industrial Commission, May 20, 1901, after stating emphatically that the reenactment of the exclusion law is desirable, said:

They (the Chinese) used to enter all lines of employment when immigration was unrestricted. There was scarcely a vocation that they did not take up. * * * The disfavor with which we regard the Chinese is altogether a commercial one, for the reason that the Chinaman is conservative and continues to wear Chinese clothes and eat Chinese food, all of which enables him to live in Chinese fashion, herded together like so many cattle. This mode of life enables him to undersell and accept lower wages than the American workman. Furthermore, his earnings are sent back religiously to China, taking that much money out of the country, and the merchandise of most of his wants and requirements is brought from China to a large extent. He is not commercially a contributor to the upbuilding of this country.

HOW CHINESE CROWD OUT AMERICAN WORKMEN.

One of the most significant facts in relation to the effect of Chinese competition was placed before the Industrial Commission by Prof. W. A. Wyckoff, assistant professor of political economy in Princeton University. It will be remembered that Professor Wyckoff has made a study of the condition of labor in the United States at first hand, living as a workingman for two years, traveling from the Atlantic to the Pacific and securing work wherever he could at the wages offered. Those who have read his very interesting articles in one of the popular magazines will recollect that until he reached the Pacific coast he had no difficulty in procuring work. In fact, the demand for labor was greater than the supply outside of the large cities. No man willing to work need go without employment. To the Industrial Commission he said that in his tramp from Los Angeles to San Francisco he came in contact with Chinese labor, "which effectually cut off the possibility of my finding employment on the railways. I could not have got work there as I did in Nebraska, for example." There were no mixed gangs at all. The workmen were Chinese, employed on the contract or padrone system.

ACTUAL SLAVERY A FEATURE OF CHINESE CIVILIZATION.

This contract or padrone system is rendered not only possible, but is the rule in the case of Chinese labor in this country, especially among those newly arrived. It can safely be said that not one out of ten coolies entering the United States comes here a free man. They are virtually slaves. As slaves they are shipped to America, and as slaves they labor here for a longer or shorter term. And this slavery is but the extension to this country of the system which is universal in China. There the practice of buying and selling men and women is nearly as common as the buying and selling of cattle among us. There are found slaves—men and women bought for cash—in domestic service, in stores, in manufacturing establishments, and in the fields. It is a system that is recognized by Chinese law, and has been in vogue for thousands of years. It is a feature of the Chinese civilization which is more firmly rooted than the principle of individual liberty is with us. The subject was given special study nearly a quarter of a century ago by Hon. David H. Bailey, United States consul-general at Shanghai, who, in a report to the State Department, described the system under which men and women were bound to service in almost every capacity. Under date of December 2, 1879, he says:

What I have since—

His last letter—

seen and learned only tends to make my convictions stronger that this is real slavery, and that it prevails in every part of the Empire and among Chinese wherever they go. I repeat that Chinese slavery is an outgrowth of the family organization, which, so far as we know, is as old as Chinese society itself. I see no hope for its abolition here but in the remodeling of the whole family organization—a herculean task beyond the vision of the most advanced Chinese statesmen of this generation.

It is significant to note that the colony of Hongkong, where it is now settled by a judicial decision of its supreme court and by admissions in solemn memorial of all the leading native residents that Chinese slavery exists and

ever has existed as an essential feature of the Chinese political and social system, is the entrapment for all Chinese emigration to the United States. And perhaps it is worth while to query whether that emigration is not thus shown to have in its every lineament the taint of human slavery.

THE TRAFFIC IN HUMAN BEINGS.

The principal Chinese residents of Hongkong prepared a petition to the Government, in which they protested against the stringent enforcement of the laws against slavery. Among the arguments used were the following:

In consequence of the propinquity of this colony of Hongkong to Canton, the custom of which province is to permit the people of the various places in the province to frequently sell their daughters and barter their sons that they may be preserved from death by starvation, the usage has become engrafted on this colony also. * * * The purchase of boys is because the buyers have no descendants. * * * The purchase of girls is because of the multitudinous duties of a household. * * * Among the Chinese there has hitherto been the custom of drowning their daughters. If a stop is put to the sale of girls the custom spoken of will be yet more observed.

Regarding the custom of buying and selling human beings, Consul-General Bailey states that there are four classes of slaves recognized by law: (1) Slaves of the imperial household; (2) concubines; (3) slaves held for labor; (4) slaves held for the purposes of prostitution. Of the second class, he says that it is a numerous one:

Every man who is able to buy and maintain has one or more concubines. These are invariably the subject of bargain and sale. * * * The buying of young girls of poor people and rearing and educating them to be sold as concubines is an extensive business. * * * A concubine is always a subject for sale or hire. * * * There are no limits to the supply of female children for this purpose.

The third class, general slaves, is also numerous:

Wherever in the Empire there is poverty and wealth these children are bought and sold. * * * Male and female slaves labor in the fields. * * * Others are used in the manufacture of various goods. Large numbers of all ages may be seen in the cities in all trades. Many are expert mechanics. Some bound till certain debts are discharged; others for life.

The penal code of China recognizes specifically these slaves and prescribes the punishment for their offenses. Consul-General Bailey recites these laws, which specifically discriminate between the free and the slave, awarding different punishments for the same offenses according as it is committed by a member of one or the other classes.

THE SYSTEM OF SLAVERY FOLLOWS THE CHINESE TO AMERICA.

And this is the system which is imported into the United States with cooly labor and which would supplant free labor in field and workshop were the opportunity given. The Industrial Commission made, through a special agent, a careful study of the results of Chinese immigration in California, the only locality where the number of Chinese is large enough to enable such immigration to give sign of its ultimate effect were it unrestricted. The report says—

Mr. HOAR. I should like to ask the Senator at this point in his interesting remarks whether that system of slavery continues after they are here?

Mr. PERKINS. It virtually continues.

Mr. HOAR. Whose slaves are they?

Mr. PERKINS. They come here under a contract to one of the Consolidated Six Chinese Companies. The companies advance the money for their passage here and they virtually control them while they are in this country, agreeing to care for them under certain conditions when they are sick, and when they die, after they have paid a certain amount of money into the fund, their bones are sent back to China.

Mr. HOAR. Do their wages go to them or to the companies?

Mr. PERKINS. A certain percentage of their wages goes to the companies. They pay a tribute, and it is estimated that from 25 to 50 per cent of their wages is paid into one of the Six Companies.

Mr. HOAR. Who pays it?

Mr. PERKINS. The person who is earning it.

Mr. HOAR. So it is paid by the Chinaman when he is here and has an employer. Now, what is the security of the owner of the slave for getting that part of his wage?

Mr. PERKINS. The security is, first, a superstition. Another reason is that their families in China are held as hostages for their safe return. Another reason is that of the highbinder. If they do not pay their debts; if they do not contribute the money that they have agreed to contribute under their contract, they are punished in a manner ranging from severe personal chastisement to the taking of their lives in some cases.

WHAT A CHINESE COLONY IS LIKE.

I was about to read from testimony before the Industrial Commission, a Commission with which the Senator is familiar, as he helped to create it. They sent a part of the Commission to San Francisco, who took this testimony:

The Chinese colony in the city of San Francisco is a perfect beehive of busy industry. The problem of cheap living has been solved by this peculiar race. Among the lower and common laboring classes, such as are en-

gaged in agricultural pursuits, the cost of living has been reduced to the minimum and the wages paid are much less than any white laborer can live upon. The Chinese cooly and common laborer seems from instinct to be able to adapt himself to conditions under which no white laborer can live. In many instances, especially in agricultural pursuits, cooly labor has absolutely displaced white labor in the Pacific coast States.

Hundreds of factories and workshops in the city of San Francisco are in full operation, employing thousands of Chinese operatives, who are manufacturing boots and shoes, brooms, men's clothing, shirts, shirt waists, ladies' skirts, and, indeed, garments of all kinds, that find their way not only into Western, but Eastern markets as well, displacing in many instances the products of our Eastern workshops and factories. So that, as stated, this question is not one which interests the Pacific States alone, but which is of vital concern to the laboring interests of the entire nation.

An attempt was made by the special agent of the Commission to secure a census of Chinese manufactures in San Francisco, but it was soon found that complete statistics could not be obtained.

One of the chief characteristics of the Chinese race—

Says the agent—

is secretiveness in all affairs pertaining to their business. All inquiries at their stores, manufactories, and places of business were met with the ever-ready response, "Me no sabee."

SOME OF THE TRADES INVADED BY THE CHINESE.

Yet a vigorous effort was made and some data, though very incomplete, were obtained. In Chinatown alone, which embraces only eight or ten city blocks, there were found by actual count, in such places as access could be secured, 2,579 Chinese engaged in six callings, in which they competed directly with white labor, as follows:

Industry.	Number of workmen.	Average hours per day.	Average daily wages.
Boots and shoes.....	251	11 to 12	\$1.00
Shirts.....	135	11 to 12	1.00
Men's clothing.....	335	11 to 12	1.00
Overalls.....	430	11 to 12	1.00
Ladies' underclothing.....	168	11 to 12	1.00
Manufacture of cigars.....	1,200	10 to 14

Yet this is only a very imperfect record of even these industries in Chinatown alone, and does not include the number of workers within the ten blocks in the business of shoemaking, tailoring, jewelry manufacturing, and scores of other callings competing directly with white labor. No effort was made to give data of Chinese industries outside of Chinatown. Regarding cigar making, the report says:

The scale of prices varies, of course, with the different grades of cigars, and averages from 50 per cent to 33 per cent less than the union prices on the different grades of cigars. White labor in the cigar manufacturing industry has been driven from the field, and San Francisco, instead of supporting from 2,000 to 3,000 white cigar makers, as formerly, has to-day less than 200 union cigar makers, who have remained to struggle against this hopeless competition. What has been true of the cigar industry has been and will be true of every industry in which American labor is met with Asiatic competition. It is in every instance a bloodless struggle, in which the white man must surrender and go down in humiliating defeat.

THE KEARNEY RIOTS A WARNING.

Yet, were immigration of these yellow competitors of white labor permitted, the Kearney riots in 1877-78 gave warning that the struggle would not be bloodless.

The figures given above relate to a very small part of the city of San Francisco. They would be surprisingly large were an accurate census of the whole city possible. It would then be seen what inroads have been made in the field of white labor. But an accurate enumeration is impossible for it is prevented by the natural secretiveness of the Chinese, rendered more effective by reason of the knowledge that it is for their interest to prevent the extent of their competition from becoming known. In mining, however, there is less chance for concealment, and it is found that in California alone there are 8,000 Chinese miners to 16,000 whites.

And these Chinese come among us not as free men bringing their families, desirous of taking up their residence here and becoming good Americans, as do our immigrants from Europe, but they come in consequence of a bill of sale of their bodies for a term of years, to work for any wage that can be obtained, to live on the poorest and the least food, in the hope that some day they will be able to purchase their freedom and return to their home in China.

Mr. SCOTT. Will the Senator allow me to ask him a question?

Mr. PERKINS. Certainly.

Mr. SCOTT. Can the Senator give me an idea of the proportion of Chinese who are brought before the police courts and other courts for the commission of crime as compared with the number of population in the city of San Francisco?

Mr. PERKINS. I have the data, which I will come to later.

Mr. SCOTT. Oh, excuse me.

Mr. PERKINS. I took it from the State prison statistics, not from those of the halls of justice and the jails. With the Senator's permission, I will wait until I reach that point.

Mr. SCOTT. Certainly.

CRIMINAL COURTS FILLED WITH CHINESE OFFENDERS.

Mr. PERKINS. I have obtained the percentage of the higher crimes. I may say, however, in passing, that our police courts are filled with Chinese offenders. Perhaps the policemen may be more vigilant in arresting Chinese than others, yet the criminal class of Chinese is very large. I have obtained the data from our prisons. I wrote to the wardens of our different prisons and also to the superintendents of our asylums for the insane and other State institutions. I will give the Senator the percentage later.

Mr. SCOTT. I am much obliged to the Senator. I merely wanted to know what the pro rata was as compared with the entire population.

Mr. PERKINS. It does not interrupt me in the least to have any Senator ask me a question. I have been among the Chinese there. I merchandised for a great many years. I know their virtues if they have any. Their many vicious habits and their many faults are matters of public notoriety.

Mr. President, I wish to say here, and I want to reiterate it again and again, we want in this country men and women who believe in republican institutions, who believe in public schools, and raise their children up to be, if not statesmen, good citizens. Every man is a sovereign in this land, and we want no class of people, I care not from what country they may come, who do not assimilate with our people. We want only those to come here who come because they believe in our institutions and worship at the shrine of freedom. When a foreigner comes with that spirit I am ready to welcome him. The Chinese have no sympathy with and no affection for our people or our institutions. For that reason I am opposed to their coming into this country. They come like locusts to sweep its substance from our land to carry it back to their own native heath.

CHINA HOLDS THE EMIGRANT'S FAMILY AS HOSTAGES.

Not one of them has a desire or intention to remain here. One reason why his great wish is to return will be found in this extract from the report of Consul-General Bailey, above referred to:

When a Chinese subject goes out to any other country, all the other members of his family remaining in China are so many hostages that he will return and that he will maintain his allegiance to his country. The horrible punishment which may lawfully be inflicted on these hostages is sufficient to account for the rarity of instances of naturalization which have occurred in the history of Chinese emigration to the United States.

But Chinese coolies come to us in spite of exclusion acts, sent over from China in answer to the demand of the Chinese in America who have found a rich field for profit in buying and selling human labor. There is one organization of Chinamen in San Francisco known as the "Bahn Gar," which means "a Chinaman or Chinese who are in the business of importing Chinese coolies or slaves." Regarding the labor thus imported the special agent of the Industrial Commission says:

The hundreds of cool laborers whom they succeed in bringing into the country are hired out in "gangs," under the direction of a "boss," who collects their wages, the principal part of which is paid over to some company of the highbinders. The condition of this class of laborers is little better than that of slaves. They have little or no personal freedom; they are compelled to work on year after year and receive but a small portion of the fruits of their toil. If any one of them revolts against his masters or seeks to assert his personal liberty he is promptly assassinated.

Or he is otherwise harshly dealt with. It may be thought by the pro-Chinese advocates that the agent has drawn on his imagination in regard to this punishment, but he is strictly within the truth. Not only is the cool slave assassinated, but the independent and wealthy merchant who may protest against any of the doings of the slave-dealing organizations is exposed to death, and more than one has been killed for purposes of punishment and intimidation of others, as the criminal records of San Francisco abundantly prove.

THE TRADE IN CHINESE WOMEN.

But this slavery of mere laborers is not the worst kind that is imported with the Chinese immigrant. The trade in women for the vilest of purposes is as well established in this country as it is in China, where it is so thoroughly rooted that it may be called one of the national institutions. Consul-General Bailey, in the report above referred to, states that the fourth class of Chinese slaves are prostitutes. This class is very large, and is, he says, to be found in every city and village of China. Every member of the class is a slave—is bought and sold for so much money. In his report he says:

The law, or custom older than any existing law, permits such traffic. * * * In the crowded streets of cities and in the more thinly settled country regions fine-looking female children are kidnaped and carried to distant places, and sold to be raised for these vile purposes.

Women are bought or kidnaped in Chinese towns and villages and sent to San Francisco, there to be sold at prices ranging from \$1,500 to \$3,000. The rescue homes established by missionary societies are filled with girls who have escaped from the dens to which they were consigned by their purchasers, running the risk of death at the hands of the slave-dealing organizations rather

than longer endure the life they were compelled to lead. Not all are fortunate enough to avoid the highbinder pistol or knife, as the many murders of the rescued evidence. From the inmates of these mission homes are obtained details of the sale of girls in China by their parents. Some of these accounts will be found in the report of the Industrial Commission.

THE SYSTEM OF DOMESTIC SLAVERY.

This slave class is to a great extent recruited from the class of domestic slaves which, as before pointed out, is one of the institutions of China. On this point Consul-General Bailey forwarded to the State Department a copy of a declaration by the chief justice of the court at Hongkong, in passing sentence on Chinese guilty of trafficking in children, in which the court says:

It is, I believe, an admitted duty that when the young girl (in domestic service) grows up and becomes marriageable she is married, but then it is the custom that the husband buys her, and her master receives the price always paid for a wife while he has received the girl's services for simple maintenance, so that according to the marriageable excess in the price of the bride over the price he paid for the girl he is a gainer, and the purchase of the child produces a good return. But the picture has another aspect; what—if the master is brutal and the mistress jealous—becomes of the poor girl? Certain recent cases show that she is sold to become a prostitute here or at Singapore or in California, a fate often worse than death to the girl, at a highly remunerative price to the brute, the master.

THE TRUE FAMILY LIFE IMPOSSIBLE.

Nothing is more distinctive of the Chinese than the way in which they treat their women, of which illustration has been given. Actual or virtual slavery is their lot. The wife only has a semblance of freedom, and she is surrounded by actual slaves—girls bought for so much cash—serving as concubines for her husband or as domestics about the house. But these wives, except in a few isolated instances, do not accompany their husbands abroad. They are left at home as hostages, and it is to see them and to conform to the requirements of their religious belief and superstition as to duty to ancestors that the Chinaman makes his periodical visits home. Such women as are generally found in domestic establishments among our Chinese population may safely be classed among those slaves known to the Chinese law as concubines. The true family life of the Chinaman is not found here; but if it were the conditions would not be changed—they would simply be intensified.

THE DANGER FROM LEPROSY.

These are not all of the objections which might be offered to immigration from China. There also comes with it the danger of physical contamination. Dr. Albert S. Ashmead, of New York, late foreign medical director of the Tokyo hospital, Japan, gives some interesting facts regarding leprosy among the Chinese, which have an important bearing upon the question of Chinese exclusion. He quotes Dr. Cantlie as saying:

Leprosy in the East centers in southeastern China. The cool emigrants come chiefly from Kwangtung and Fokien. Three-fourths of cool emigrants are from these provinces, and the spread of leprosy in the Malay Peninsula, in the Dutch, Spanish, and Portuguese East Indies and in Oceania has been in all cases coincident and concurrent with the immigration and residence of coolies from those provinces. In no instance over this vast area has any native acquired leprosy except where Chinese coolies have settled. One leprosy Chinaman inoculated Hawaii. Chinese immigrants brought leprosy to Japan.

According to the Jiji Shimpo (Daily News) of Tokyo, the most influential newspaper in the Empire of Japan, the number of known lepers in that country is 23,647. In the opinion of Dr. Ashmead, the actual number is in excess of 100,000. Not one province of the Empire is free from the disease. Such is the result in Japan of the contagion brought from China, yet, as has been pointed out, nearly all our Chinese immigrants come from two leprosy-infected provinces. To what extent the disease exists in the two provinces from which come the Chinese immigrants to this country is apparent from the following from a letter of Dr. Ashmead:

In the province of Fukien it (leprosy) is a veritable epidemic. Kwantung Province (Canton) is called the cradle of leprosy. In one leper asylum there are 800 lepers, and in the other over 1,000. In a leper village just outside of Canton there are 650 lepers. Several hundred lepers live on the boats near Canton. In Swatow, near the mouth of the Han River, which serves as the place of embarkation for the enormous cool trade to America, leprosy prevails extensively. Here there are villages called leper settlements, but there is no segregation, and the lepers are allowed to move about freely. * * *

In Hongkong, too, leprosy is prevalent. In two and one-half years 125 lepers presented themselves at the Alice Memorial Hospital. In seven years, from 1880 to 1886, there developed on the island of Hongkong, unknown to the British Government even, from 600 to 700 lepers.

That leprosy exists among the Chinese in California is well known, for cases have often been found. But how widely spread it is can not be ascertained, for the Chinaman afflicted conceals his disease from others as long as possible, and when discovered it is concealed from the American officials by the victim's friends. There is thus a constant menace to the health of the community in which is gathered a large number of Chinamen. The sources from which the disease may be imported are many and fertile enough to excite alarm even with the most rigorous of exclusion laws.

THE DANGER FROM CHINESE GUILDS.

Still another danger would be brought among us were the pro-Chinese advocates to have their way. Chinese population which had become entrenched, as it would after a time become, in American productive industry would introduce a trades-union system compared with which the American system is child's play. China is a nation in which the guild principle is a necessary part of the industrial system. It exists among the mercantile class as well as among the members of the handicrafts. John Fowler, United States consul at Ningpo, China, has this to say about working-men's guilds, in a report to the State Department:

They are very similar in functions and institutions to the trade unions of England. * * * In such guilds there is always a sum held in reserve to support members on a strike, for strikes are an institution not wholly belonging to the European or American continents.

In addition to the mercantile and handicraft guilds, there are the guilds which are formed by the people from the same town or province when living in other than the place of their birth. Such guilds follow the Chinaman everywhere, and when a considerable number of Chinese from the same district are gathered together there is founded a guild which binds them in a homogeneous whole for self-protection and aggressive action against those by whom they are surrounded, if such action can in any way promote their own interests. Consul Fowler says that in dealing with such guilds in China "consuls and diplomats have a very grave matter on their hands." So would the United States Government also have a grave matter on its hands were there permitted among us a large Chinese population, which would surely come were the bars of restriction lowered.

WHY THE CHINESE MENACE OUR INSTITUTIONS.

What has been said will give some idea of the character of the immigrants that we desire to exclude from our shores. It is easy to infer, from the facts given, something of the nature of the communities that would be formed were our pro-Chinese friends' desire complied with. The 25,000 Chinese in San Francisco offer an opportunity for learning how well fitted they are to enter upon the course of life that Americans have laid out for themselves. Bringing with them slavery, concubinage, prostitution, the opium vice, the disease of leprosy, the offensive and defensive organization of clans and guilds, the lowest standard of living known, and a detestation of the people among whom they live and with whom they will not even leave their bones when dead, they form a community within a community, and there live the Chinese life.

They have their terrorists' societies, their laws and customs, enforced with the barbarity which characterizes such enforcement in China, and they yield only outward obedience to the law of the land. They make use of our courts, by means of false witnesses, to reach with punishment some offender against themselves, and by the same means prevent justice from being done in cases in which they are a party. They are rigidly organized to evade all laws bearing hard upon them, and the organization is so perfect that evasion is not difficult. They herd together by thousands in small space, caring nothing for shelter beyond the four walls and roof, and creating a district of dirt and filth where once were cleanliness and beauty. Within the dark and smoky rookeries where they dwell they open dens for the demoralization of the white youths who surround them. They neither build nor repair, beautify nor cleanse, and their quarter reverts to the conditions found in the densely crowded cities of China. In such a sink, is it to be wondered at that nothing American can find a place; that no idea born of our civilization can find a lodgment; that the most prominent result is crime? Although the Chinese are only 3 per cent of the population of the State, they furnish 4 per cent of the criminals under sentence in the prisons of the State.

CRIME AMONG THE CHINESE.

These figures were furnished me by the wardens of our respective prisons, taken from the records of the prisons, and they can not truthfully be gainsaid. Although the Chinese form only 4 per cent of the inmates of the prisons, those charged with murder form 15 per cent of those under sentence on this charge. Whereas in the prisons there are 781 white prisoners under sentence for crimes, less than burglary, there are only 3 Chinese; all the rest, 84 in number, being under sentence for crimes ranging from murder to attempted burglary. The Chinese criminal, therefore, is seen to be one who commits the greatest of the crimes punishable by law, murder standing at the head of the list, which shows what little regard they have for human life. Attacks on life number 46 out of a total of 87 convictions. Fifty-three per cent of the Chinese in our State prisons are convicted either of murder or of attempts to kill. Robbery and burglary furnish the remainder of the crimes for which Chinese are convicted. From this showing it is easy to judge of the state of society in a Chinese community in this country. Life is held cheap, and is taken without compunction and for the slightest

cause. It is as valueless among the Chinese in America as it is in China.

CHINESE SHOULD BE EXCLUDED FROM THE PHILIPPINES.

Mr. HOAR. May I ask the honorable Senator a question? The PRESIDING OFFICER (Mr. CLAPP in the chair). Does the Senator from California yield to the Senator from Massachusetts?

Mr. PERKINS. Certainly.

Mr. HOAR. I desire to ask the Senator from California whether he is willing to impose the evils which he has so graphically described on the Philippine Islands?

Mr. PERKINS. Most certainly not; and for that reason I shall be glad to join with my honorable and learned friend the distinguished statesman from Massachusetts in urging the Philippine Commission to pass the most stringent laws keeping out this class of Chinese highbinders from the Philippine Islands.

Mr. LODGE. If the Senator will allow me, this bill absolutely excludes the coming of Chinese from the Philippine Islands.

Mr. HOAR. I was asking the Senator from California what he advised.

Mr. PERKINS. I am full of good advice, Mr. President, and certainly we need no such characters as the highbinders. I have not much respect for the Malays as a class—I have been shipmate with them in my younger days—but still I think they are an improvement on the Chinese.

INSANITY AMONG CHINESE CAUSED BY OPIUM.

The report of the general superintendent of State hospitals in California shows that there are nearly 200 insane Chinamen in the State institutions, and here is to be found one of the results of the Chinaman's predominant vice—opium smoking. I am told the Chinese acquired that habit from the British or Anglo-Saxons, who taught them how to smoke and use opium. As the Good Book tells us that the iniquity of the fathers shall be visited upon the children unto the third and fourth generation, I do not know but the British are receiving some punishment for it now in South Africa.

The superintendent says that the use of opium cuts a considerable figure in these cases. The proportion of Chinese insane is 43 per 10,000 Chinese inhabitants, while white insane patients are at the rate of only 37 per 10,000 of white population. That is a large percentage for the whites; but it will not appear so large when you bear in mind the cosmopolitan character of the people in the city of San Francisco, where 70 different dialects are spoken, and that every country and nation in the world is represented in California—many who have been disappointed elsewhere coming there in pursuit of wealth, and becoming broken down in health have become insane—with that large percentage of insane white people, yet the Chinese outnumber them by some 10 or 15 per cent. The increased proportion of insane among Chinese is due to the use of opium. The Chinese criminals and insane Chinese are supported by the taxpayers of California, as in not a single instance has it been possible to collect from their relatives or friends anything for their maintenance in the State institutions.

OUR CIVILIZATION AT STAKE.

Such is the character of the communities that are formed in this country by immigrants from China. They are subversive of every idea on which our own civilization is based, and are a menace of which notice must be taken in time and effectual safeguards erected and constantly maintained.

The little Republic of Nicaragua was wise in time, for it early saw the danger impending and took measures to avert it. In October, 1897, the Nicaraguan Government issued a decree which absolutely prohibits Chinese going into Nicaragua. The reasons for this action are set forth by United States Consul Thomas O'Hara, who wrote to the State Department in 1899 on this subject. There were no Chinese on that coast previous to 1886, but those who arrived in the next ten years made it clearly apparent that they would, if their numbers increased, be a serious injury to the country.

It is true—

Wrote Consul O'Hara—

that the working of the mines by the Chinese does not add materially to the wealth and prosperity of the country. They construct neither buildings, highways, nor railways. They are satisfied with bare roofs. They are willing to work years for a few pounds of gold, and they have no use for modern machinery or improvements. Their wants are simple and do not increase when their earnings increase. They patronize Chinese stores exclusively, and the gold found by Chinese miners, whether exchanged for supplies or retained by themselves, eventually goes to China.

HOW OUR CANADIAN NEIGHBORS DEAL WITH CHINESE.

Canada and British Columbia, our neighbors bordering on the north, several years ago enacted much more stringent laws relating to the immigration of Chinese than our present restriction law. No vessel is permitted to bring into that country more than 1 Chinese for every 100 tons register of the vessel; and, in

addition, the vessel must pay the Government \$100 head tax for every Chinese that is permitted to land. It is now proposed to raise this tax to \$500, as appears from the following telegram from Ottawa:

Mongols menace industrial peace, say the immigration commissioners—Canadian officials report in favor of Chinese exclusion by raising the per capita tax to \$500.—Ottawa, Ontario, February 27.

Mr. PLATT of Connecticut. It has not been done, so far as the Senator knows, has it?

Mr. PERKINS. Well, I will give you the benefit of what a statesman says ought to be done. If for any reason one of the houses of the Canadian parliament has not passed such an act, then they have an opportunity of redeeming themselves. The telegram continues:

The Chinese report presented to parliament to-day covers over 800 pages of typewriting. The conclusion which the commissioners arrive at is that Chinese retard white immigrants, who would make good citizens and settlers. It is said that the presence of Chinese is dangerous to the industrial peace of the community where they reside. They carry away to their own country all their earnings, and spend little or nothing in Canada. In the opinion of the commissioners it is impossible for the province of British Columbia to take its place and part in the Dominion unless its population is free from any taint of servile labor and is imbued with a sense of duties and responsibilities appertaining to citizenship.

I know that is the sentiment of my friend from Connecticut.

Mr. PLATT of Connecticut. Mr. President, I simply asked the Senator a question for the purpose of information. I wanted to know whether or not such an act as that had been passed by the Dominion parliament. I am very anxious to know.

Mr. PERKINS. I am unable to answer that question. I understood the Senator to say that such an act had not been passed. I beg the Senator's pardon.

The telegram further says:

The commissioners approve of the views of the legislature of British Columbia as to the grave injury that would follow an influx of Chinese laborers.

Then follows the findings of the commission. Messrs. Clute and Foley favored an immediate raising of the per capita tax to \$500, and Mr. Munn thought a trial for two years at \$300 at first would be best, then raising it to \$500.

I will say to the Senator from Connecticut that I know the present law providing for a head tax of \$100 on every Chinaman brought into Canada is in force. Whether or not this measure is in force or not, I am unable to say.

NO BENEFIT TO THE COUNTRY FROM CHINESE CAPITAL.

That none of the earnings of the Chinese in this country are invested here is well known. All the savings of these shrewd money-makers go eventually to China. No benefit accrues to our own country from the capital amassed by our Chinese residents. That the business to which they give rise is great is made manifest by the records of the port of San Francisco alone. In a communication to the Industrial Commission's special agent, the late Hon. John P. Jackson, collector of customs of San Francisco, stated that of \$603,644 collected in customs duties at that port in October, 1899, Chinese paid \$175,836, considerably more than one-fourth of the whole. In November, out of \$508,560 collected, Chinese paid \$156,787.

These two months—

He said—

are not at all peculiar, but are noted as the latest evidences of the business. I have before me a long list of Chinese merchants who pay annually customs duties running from \$10,000 to \$200,000 each, four of them paying over \$100,000 annually, and two firms contributing yearly between \$150,000 and \$300,000 to the Government coffers.

Mr. QUARLES. Where was that?

Mr. PERKINS. It was in San Francisco, and relates to the duties which are paid by Chinese in that city. Yet you will seek in vain in San Francisco for material evidences in the shape of buildings or improvements of any kind which would be conspicuous were such a large import business carried on by men of our own civilization. San Francisco, the State of California, and no State in the Union gain anything from this very large Chinese trade. Its profits and the other great profits that it represents find their way to China, and by so much is our city the loser.

CHINESE MERCHANTS AND THE EXCLUSION LAW.

This brings prominently forward the bearing of the proposed law on the class of Chinese merchants. Objection is made that the definition of merchant, set forth in the bill, is too stringent. But upon consideration I do not think it will be found to be so. It is perfectly clear that the great business transacted by the Chinese firms in San Francisco precludes the possibility of a considerable portion of the Chinese population being engaged in trade. In other words, a very small proportion of our Chinese can be merchants, for their business necessitates customers, who must be earners of wages, and as they do business with Chinese exclusively these wage-earners must be Chinese. It is therefore evident that the bulk of our Chinese population—probably 90 per cent—are wage-earners engaged in industrial pursuits.

When, therefore, we find more than 10 or 15 per cent of those

applying for admission to the United States claiming that they are merchants we may know that something is radically wrong. And that something is radically wrong is evidenced by the returns of the Chinese bureau at San Francisco giving the number of Chinese applying for admission to the United States. These returns show that from July 1, 1897, to July 1, 1898, of 3,806 applying for admission, 1,193 claimed to be merchants or other exemptions, or nearly one-third of the whole number, which includes children and women. This will be found to be about the proportion from year to year. Now, it will be recognized as true that it does not require 1,200 merchants to supply 2,600 laborers. The proportion of 26 merchants to 3,800 laborers would be nearer the true proportion, and the inference is clear that, with very few exceptions, the Chinese applying for admission are not and will not become merchants, but will join that great army of wage-earners on whom the merchants live. The merchants themselves are interested in keeping the ranks of this army full, and there is ground for belief that they assist coolies in entering the United States as business men for the sake of maintaining the demand for the wares in which they deal.

HOW THE EXCLUSION LAW IS EVADED.

On this point Mr. J. D. Putnam, Chinese inspector at Los Angeles, in a communication to the Industrial Commission, says:

They usually come as one of two classes. Of the first class, I believe the greater number claim to be native-born Americans. Second, those presenting themselves with merchants' papers (which papers they seem to have no difficulty in procuring white men to certify to as Chinese well known to them as merchants). There is not one white man in ten who has made the exclusion act a special study or who knows what constitutes a Chinese merchant. When they wish to procure a signer, merchants will introduce to such person a Chinese whom they state is a partner and a member of their company and who they claim is the party for whom such signer is to certify. After the signer of a certificate sees his name upon said certificate, upon its being returned for investigation, the result universally is that he is ready to make a statement to the inspector to the effect that the photograph represents some party well known to him. Should he state the contrary a Chinese lawyer will prepare an affidavit and present it to him, which he usually signs. Then the attorney presents the sworn evidence as rebuttal to the inspector's report. The inspector not being authorized to administer an oath (which I believe is an error), he is without power.

There is not one out of ten Chinese styling themselves as merchants, and so registered, who are genuine merchants except in name, as many a store or firm claims to have from \$10,000 to \$15,000 capital, and as having a list filed in the custom-house of from 5 to 15 partners, whose stock could be removed at one time in a single express wagon, and usually one or two men found about the store, the balance cooking or gardening or running gambling rooms until just before they wish to visit China, and still they have no trouble in procuring signers to their papers as being bona fide merchants. An example should be made of signers of such certificates by bringing them before the grand jury.

DEFINITION OF MERCHANT CAN NOT BE TOO STRICT.

I think it plain, therefore, that the law should leave no possible loophole through which coolies can enter the United States as merchants. The definition of a merchant can not be too strict or too rigorously applied. Doubtless many will remember the scandal that was occasioned in San Francisco several years ago through the laxity in this respect. It was noticed that there was a very large immigration of Chinese, and investigation showed that they were landed as merchants. As time passed, it was also noticed that the number of merchants coming by each steamer constantly increased. It began to look as though there would soon be as large an immigration of Chinamen as before the passage of the exclusion law. An investigation was made. The landing papers were found to be apparently correct. They were made out according to requirements and vouched for the mercantile character of the bearers. But a visit to the dock where the next steamer from China came in gave evidence of widespread fraud. The so-called merchants were seen, even by the least experienced, to be only coolies. They came herded between decks like cattle, bearing with them their baggage in the well-known basket, with bamboo pole, used by street peddlers and carriers. They came dirty and ill clothed, with faces of the type seen only among the coolies, and were of that class of intelligence found only among them. Yet they were landed as merchants, students, or travelers, and no genuine Chinese merchant protested.

An investigation followed, and corruption of the worst kind was unearthed. By collusion between officials in California and agents in China the needed certificates were procured and issued by thousands to cool laborers, who found easy access to the United States. Money for bribes and to carry out the plans of the conspiracy was found in abundance, and a rich harvest was reaped for a very long time. But the exposure came and the guilty ones were punished, and since then there has not been put in operation such a bold and barefaced attempt to evade the law. But that it is evaded in a similar way, but without collusion on the part of Government officials, is as certain now as it was then, and it is this evasion that the definition of "merchant" in the present bill is designed to prevent.

THE TRUE MERCHANT NOT INCONVENIENCED.

No one is more willing than I to discriminate between the true Chinese scholar and merchant and the cool laborer. Between

them is a vast gulf, broad and deep, which the cooly can never pass. But the educated and cultivated Chinamen in America are few in number. When he appears at the gang plank of a China steamer he can be readily recognized. He is a man keen and intelligent, with more or less knowledge of affairs, and, when he can escape somewhat from his habitual distrust of Americans, pleasant to meet. The definition of "merchant" in this bill can not affect him. He can easily fulfill all the requirements of the law. So, too, can the student or traveler. It is not against these classes that the definitions complained of are aimed, but against the cooly who masquerades under those designations and fraudulently enters this country to take his place among the Asiatic competitors of the American workman.

The field for competition which the Chinese find in this country is vast—so vast and so profitable that without restrictions it would be filled to overflowing with Asiatic labor. The profits are so large as not only to tempt voluntary emigration, but has given rise to an immense business in importing cooly or slave labor, through which individuals and organizations make fortunes easily and quickly. The Chinese in America possess numerous well-organized associations, some of the mercantile and some of the criminal classes, which are interested in the importation of cooly labor, and it is the plans laid and executed by them that make the enforcement of an exclusion law a matter of the greatest difficulty. The interests of the organizations, of the merchants, and of all the influential classes lie in the entrance of large numbers of the servile class, for they bargain for their employment, collect the wages, pay the laborer what they choose, and keep the balance for profit.

EVEN THE BONES OF DEAD CHINAMEN SENT HOME.

The organizations, like the well-known Six Chinese Companies, have general oversight of the coolies, much after the manner of the owner of slaves, being interested in their health and physical well-being that their utility as wage-earners may not be lessened. And when the cooly dies in this country they see to it, as a part of the agreement entered into, that his bones are sent back to China to be placed beside those of his ancestors. Scarcely a steamer leaves a Pacific port for China that does not have on board hundreds of boxes containing the carefully-cleaned bones of deceased Chinamen. Through the laws and regulations of the Six Chinese Companies, and the terrorism of the highbinder societies, the Chinese in America are under a strict government, but one based on Asiatic and not American ideas. And the coolies, subject to a slavery which is real and not imaginary, are brought over here to compete with American labor, bringing with them standards of life and morals which can only tend to drag the American workman from the high level he has attained.

CONTRAST BETWEEN TWO CIVILIZATIONS.

Personal freedom, the home, education, Christian ideals, respect for law and order are found on one side, and on the other the traffic in human flesh, domestic life which renders a home impossible, a desire for only that knowledge which may be at once coined into dollars, a contempt for our religion as new, novel, and without substantial basis, and no idea of the meaning of law other than a regulation to be evaded by cunning or by bribery. The attack of the cooly laborer is not alone on wages, but on the very foundation of the American workman's prosperity and well-being. The contest is between two social systems utterly opposed to each other. Customs and ideas that are the growth of three or four thousand years, which have made the Chinese a people of the strongest vitality, of fewest wants, and least aspiration for improvement, will inevitably conquer, as they have always conquered, in a strife with a civilization of a high plane. A scale of wages like that given by Consul-General Jernigan at Shanghai—blacksmith, 13 cents a day; brass worker, 16 cents; barber, 3 cents; bootmaker, 10 cents; bricklayer, 10 cents; cabinetmaker, 11 cents; tailor, 10 cents; cotton-mill machinist, 11 to 23 cents, and cotton-factory hands, 18 cents—shows the margin which the cooly laborer has in a competition with American labor.

CHINA COULD OVERWHELM US.

With such a margin and such a heredity as he has, there can be no doubt as to his ability to overwhelm the laborer of any nation having modern civilization. Unrestricted immigration would open this country to 400,000,000 or 450,000,000 people of the character described. With more extended knowledge of the opportunities offered here, is it to be imagined that thousands would not come to our shores where single individuals now come? Is there a belief that we could prevent them from attaining the commanding position occupied by them in the Philippines, in Singapore, and wherever they exist in large numbers? The Chinaman fully realizes all of his advantages, including that of numbers. A Chinese student during the Boxer troubles, in reply to my assertion that if the members of the legations were murdered we should punish China severely, said:

You can do nothing. Suppose you kill 50,000,000 Chinamen: we will have left more than five times the whole population of the United States.

Mr. FAIRBANKS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Indiana?

Mr. PERKINS. Certainly.

Mr. FAIRBANKS. I do not wish to interrupt the Senator.

Mr. PERKINS. It is no interruption at all.

Mr. FAIRBANKS. Something has been said as to the inability to secure American seamen for the trans-Pacific service. I should like to have the Senator, if he can, give us some information upon that subject.

CHINESE IN THE MERCANTILE MARINE.

Mr. PERKINS. The best answer I think I can make to the question is that there are a number of steamship companies running vessels out of San Francisco employing a large number of sailors, firemen, and coal passers which do not employ Chinese. I have myself for thirty years been connected with a steamship company employing from 1,500 to 3,000 men most of the time, and we never have employed, to my knowledge, a Chinaman during that period.

As to vessels running into the Tropics, all of the United States transports now engaged in the service, plying between San Francisco and the Orient, the Philippine Islands and Japan, have white coal passers, white stokers, and white firemen. Their whole crews are Caucasian.

The ships plying to Central America from San Francisco and to the coast of Central America and Mexico, and German ships running down the coast of Central America to South America, all employ white firemen and white coal passers and white deckhands (sailors). The ships of the Oceanic Steamship Company, one of which runs every two weeks to New Zealand and Australia, run to Honolulu, across the equator, and go down through the Tropics. They all employ white men. The steamers running from San Francisco to Samoa, to the Fiji Islands, also employ all white men. It is the same way with vessels of our Navy.

WHY THERE SHOULD BE NO CHINESE ON OUR MERCHANT VESSELS.

In this connection I will state that when there was under consideration the bill to promote American shipping interests I voted for the amendment proposed by the junior Senator from Colorado [Mr. PATTERSON] prohibiting the employment of Chinese upon those ships. I did it for the reason that I supported the bill, believing it would build up and resuscitate and again give to us the carrying of our own trade under the Stars and Stripes as we formerly had it. I believe the correct way to do that is to encourage and make honorable and elevate the dignity of the life of a sailor, and it requires some courage to be a good sailor man. It requires a good deal of courage to be a fireman or a coal passer, to go down into the hold of one of these ships and there toil for four, six, or eight hours during the twenty-four, or longer.

I have always had quite as much admiration for the stoker who went down into the hold of the *Merrimac* and went into that famous blockade at Santiago as I did for the man who stood upon the bridge, and it was on my motion that Congress kindly recognized their bravery by giving each one of them a medal.

Mr. PENROSE. I should like to interrogate the Senator from California.

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. PERKINS. Certainly.

Mr. PENROSE. I should like to ask the Senator from California whether it is true or not that there is a sufficient supply of white sailors upon the Pacific slope and whether white sailors can stand the Chinese climate in pursuit of their occupation?

Mr. PERKINS. The same question has been asked by the senior Senator from Indiana, and I have been answering it in part.

PLENTY OF WHITE MEN TO MAN OUR SHIPS.

Mr. PENROSE. I beg pardon. I was not in the Chamber at the time.

Mr. PERKINS. I have been credibly informed by the Firemen's Union of San Francisco that there are plenty of men to fill those positions. The question is one of wages. I believe it is worth something to be an American citizen. It is worth a great deal. It is worth a great deal to have the right to fly the Stars and Stripes at the peak, and our ships plying out of San Francisco or New York to any foreign port have certain rights and privileges which foreign ships do not have. An American ship sailing from San Francisco may carry freight and passengers to Honolulu, to the Philippine Islands, and then continue on her voyage to Japan and China.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from New Hampshire?

Mr. PERKINS. Certainly.

Mr. GALLINGER. The Senator says it is worth something to be an American citizen. Will the Senator kindly inform the Senate what proportion of the sailors whom he says are of Caucasian

blood on the ships that sail from San Francisco are American citizens?

Mr. PERKINS. In the coasting trade it amounts to about 60 per cent.

Mr. GALLINGER. How about the foreign trade?

Mr. PERKINS. In the foreign trade it is less than 50 per cent—some forty-odd per cent.

Mr. GALLINGER. So that half of these men are not American citizens?

CHARACTER OF CAUCASIAN SAILORS.

Mr. PERKINS. They are all capable of becoming American citizens. Many of them come here who are not citizens. They have their families in San Francisco or at Oakland, across the bay. They have their little cottages, many of them building them perhaps on the installment plan, and when they come back after a voyage to Australia or to the Orient they are greeted by their children and their wives. There they see the schoolhouse that they pay their taxes to build, and there they see the little church where their wives and children worship. Those people become good American citizens in time. If they are not American citizens their children surely are, and they have the pride and honor that attach to it.

I took a deep interest when I first came to Congress in ascertaining the percentage of foreigners in our Navy. I found there was some 65 per cent of foreigners in the Navy. I had several interviews with the Secretary of the Navy and the Chief of the Bureau of Navigation, and with their assistance we have established several naval training stations. We now have a number of vessels shipping landsmen, who go off on training voyages. The result is that we have reduced the percentage of foreigners in the Navy from 65 to 41 or 42 per cent. We have been making splendid progress in the last five or ten years, and I hope and expect to live to see the American flag flying on ships as I once saw it, when a sailor boy sailing out of your own native State, Mr. President [Mr. FRYE in the chair], which we all honor and love. Then the boy in the forecabin looked forward to the time when he would walk the deck and command the ship, and was just as sure of reaching it as daylight follows darkness, if competent.

THE AMERICAN SAILOR SHOULD BE ENCOURAGED.

So I believe in building up the American merchant marine. I believe the best way is to encourage the American sailor. I would make his an honorable vocation, as it is, and when it is only a question of dollars and cents, I would give the preference all the time to the American citizen, or the one who is capable of becoming an American citizen, sooner than I would to a Chinaman, who would work for a pittance and take that pittance to China. When we employ Americans their wages are left here in our own home, and what is better than all, then you have a man who is protected as an American citizen, and who has a pride in American citizenship, and if he is not an American citizen his children will be citizens after him.

I believe I shall vote for this clause in the pending bill. While there are not the same reasons for it perhaps that existed as to the ship-subsidy bill, yet I would rather err on the side of right than to go off on the side of wrong. Therefore I shall vote that Chinese shall not be employed. Of course if ship owners prefer Lascars and Javanese and Malays and Japs or people from the South Sea Islands and other islands instead of American citizens or those capable of becoming American citizens, they can hire them probably much cheaper.

NONE LIKE THE AMERICAN SAILOR.

Mr. PATTERSON. I may suggest in this connection that in a communication from the War Department it is declared that the Filipinos constitute the best sailors of all the Asiatic people.

Mr. PERKINS. I have been shipmates with them. I would rather have one Yankee than seventeen Malays.

Mr. SPOONER. They may have improved.

Mr. PERKINS. Probably, since they have come in under our protection. There is a chance for them to do it. The Japs make pretty good sailors.

Mr. GALLINGER. Just on this point, if the Senator will permit me, if he will examine the testimony of Governor Taft he will observe that Governor Taft says the Chinese as laborers are very much superior to the inhabitants of the Philippine Islands. I know nothing about their qualities as seamen.

Mr. PERKINS. I think there is no doubt about that. All that the Chinese laborers are good for is to work, and they do work and work faithfully. I believe in dignifying and elevating labor in this country. My friend from New Hampshire, as well as I, never had a house to live in, because our ancestors did not leave it to us, until we worked to earn it. I believe in giving everyone in this country an opportunity to work. I believe in dignifying and elevating labor, whether it be by muscle or brain. I want everyone to have that opportunity. I am in-

tensely American, like my friend the Senator from New Hampshire.

Mr. GALLINGER. Of course no utterance of mine would suggest that I am not equally a friend of the laboring man—

Mr. PERKINS. I know.

Mr. GALLINGER. Although we may differ as to the provisions and details of this bill, as I think we do.

Mr. PERKINS. My friend and I are in perfect accord. We belong to that party which struck down slavery, for one reason because it was lowering and pulling down labor. We believed we should honor and dignify and elevate labor in this country.

A few minutes more, and I will not trespass further. I should like to dwell upon the religious phase of this question for a few moments.

Mr. GALLINGER. Before the Senator reaches that point, I should like to propound one inquiry.

Mr. PERKINS. Certainly. If I can not answer it I will do as the judges do sometimes—I will take it under advisement.

MR. GALLINGER ASKS A QUESTION.

Mr. GALLINGER. That is right. It will be a wise answer when the Senator gets around to it, if he does that, because he is a wise man.

I have listened with great interest to the Senator's speech. He is a faithful representative of his own people and an able representative of his State. He believes every word he says, and yet some of us in the far East, concerning whom it has been suggested in this debate that we are governed by impulse, benevolence, and that sort of thing, are considerably puzzled to know why this intense desire to make the laws relating to Chinese exclusion so much more stringent than they are now, when the Twelfth Census shows that in the Senator's own State the Chinese inhabitants have decreased about 40 per cent in the last ten years. It does not seem to us, looking at it over the distance that we have to look to discover the Pacific slope, as though there is any real imperative necessity for further exclusive laws when the Chinese population is decreasing in the country at a rapid rate and when it decreased in the Senator's own State 40 per cent during the last ten years. Perhaps the Senator can give me some light on that point.

Mr. PERKINS. I think perhaps I may answer it offhand by stating that many of the Chinese who land in San Francisco, as I stated in my preliminary remarks, find their way to Massachusetts and to some of the other New England States, and I notice that the junior Senator from Massachusetts [Mr. LODGE] is now more earnest and more zealous in his advocacy of this bill than those of us from the Pacific coast. A few years since he said, "It will not do. It is contrary to the spirit of our institutions." And so I think perhaps they are feeling the baleful influence under which we have been suffering for so many years.

Mr. GALLINGER. The Senator does not answer my question at all. If the Chinese have drifted from California to Massachusetts, and if possibly a few of them have managed to creep into New Hampshire, the further fact still remains that the Chinese population in the country, the entire country, including Massachusetts and New Hampshire and California, has decreased—I think somewhere in the vicinity of 28 or 30 per cent in the last decade—according to the census reports.

Mr. PERKINS. They have left leprosy with us, and we are trying to eradicate the evil of that.

Mr. GALLINGER. If the Senator will permit me, when the leprosy question comes up for discussion I shall want to say a few words about it. We have recently had an investigation regarding leprosy in this country which throws a flood of light on that proposition, and I think will not bear out all of the Senator's statements which have been made to-day concerning that matter.

Mr. PERKINS. I referred to the conversation with the Chinese student, who, when it was suggested that we would certainly punish our friends in China if they did harm to our legation, shrugged his shoulders and said, "Ugh! You can do nothing. Suppose you kill 50,000,000 Chinamen. We yet have left five times more than the population of the United States." They have 400,000,000 or 450,000,000 people. They are somewhere, and many of them, we think, have been smuggled into the United States and, like cases of leprosy, have been concealed.

HOPELESSNESS OF IMBUING CHINESE WITH CHRISTIAN CIVILIZATION.

The "Boxer" uprising is an evidence of the hopelessness of the effort to Christianize the Chinese. That recent event was undoubtedly, as has been claimed, due in a great measure to the efforts of missionaries to imbue the Chinese with Christian ideas. The ultimate result was murder, violence, and a blow to Christian teaching in China which it will take long to recover from. But what has such teaching accomplished? Christianity has not been taught in China for the comparatively few years of which we have a record. Yet (and I think this item will surprise my honorable friend

the historian from Massachusetts, because I have never heard him speak of it, and I have heard him make many scholarly dissertations) Christianity is known to have been introduced in China as far back as A. D. 781.

Mr. HOAR. Do I understand that the Senator from California disapproves of the attempt to Christianize the Chinese?

Mr. PERKINS. It has not been a success.

Mr. HOAR. That is unquestionable. Does the Senator disapprove of the attempt to introduce Christianity into China or not?

Mr. PERKINS. No, Mr. President; I would carry it to them.

Mr. HOAR. Then I do not think the Senator would want to pursue that line much further.

Mr. PERKINS. But if the Senator will permit me, I am going to give you the authority of a Presbyterian.

Christianity is known to have been introduced as far back as A. D. 781, the date of a monument in Northwestern China commemorating the event. It was taught one thousand three hundred years ago, and there is reason to believe very extensively, yet not a vestige of those teachings remains. It was taught by Roman Catholics in the seventeenth century and since that day, but with what results? Rev. Joseph Edkins, a missionary, and thoroughly familiar with China and the Chinese, published in 1859 a book on the "Religious Condition of the Chinese." My reading is not very extensive, but I incidentally came across this book. He says:

The Protestant converts are still not many more than 1,000. They are the remaining fruits of sixteen years' labor by about 100 missionaries at the five treaty ports.

Mr. QUAY. Will the Senator permit me to interrupt him?

Mr. PERKINS. Certainly.

Mr. QUAY. Looking at the population statistics as to the Protestant Christians in China, I find that the number is something over 100,000.

Mr. PERKINS. There must have been many of them Boxers.

Mr. QUAY. No; they were fighting the Boxers.

Mr. HOAR. I understand from the Senator that the whole attempt to introduce Christianity into China from the eighth century has been a miserable failure, and the effect of the recent attempt has been the Boxer rising. Then what reason has the Senator for saying that he still approves of the attempt to introduce Christianity into China?

Mr. PERKINS. Because all the teachings of Christianity are right; and if Christians would live up to their teachings, if they would only practice what they preach—

Mr. HOAR. My friend says, as I understand him, that it has been an utter failure and has produced the Boxer insurrection. The reason why the Senator approves the attempt to Christianize them is, I understand, because we do not live up to our teachings.

Mr. PERKINS. The Chinese fail to live up to our teachings, and yet they do claim to live up to some of the teachings of Confucius. Confucius was in a measure a second Moses.

Mr. HOAR. I did not ask my friend about the teachings of Confucius.

THE FRUITS OF SIXTEEN YEARS' LABOR.

Mr. PERKINS. Dr. Joseph Edkins was a missionary and thoroughly familiar with China and the Chinese. I am giving you the historical view. I am not the historian, but it is Dr. Edkins, the author of the "Religious Conditions of the Chinese," published in 1859, who says:

The Protestant converts are still not many more than 1,000. They are the remaining fruits of sixteen years' labor by about a hundred missionaries at the five treaty ports.

Dr. Edkins believed in missions and had hope of the future, yet that was his estimate of the results of sixteen years' work. These figures would undoubtedly be cut down 99 per cent if he could have read the hearts of his so-called converts. He acknowledges that the Chinese came to the schools for the purpose of picking up scientific and other knowledge that they could make use of, but evidently had faith that they also imbibed Christianity. And this in face of the fact, as he records, that Christianity compels them to give up the strongest of all their strong religious customs—the worship of ancestors. It is safe to say that the idea on which this worship is based is as ineradicable as are the physical characteristics of the race. In the face of that, to suppose that Chinese will accept Christianity and give up the most vital of their ethical ideas is to suppose the impossible.

The Chinese have been in this country for half a century, surrounded on all sides by Christian influences, attending Sabbath schools in shoals, and most earnestly attentive to the teachings of the good-looking young ladies having charge of the classes; but the most ardent pro-Chinese American can not say that Christianity has made much progress.

PROFESSING CHRISTIANITY FOR BUSINESS REASONS.

Rev. Dr. Condit, who represents the Presbyterian missions, states that, out of the total Chinese population of the United

States, estimated by those having to do with Chinese at 300,000, there are only 1,600 Christian Chinese of all denominations, and only 4,000 Christianized from the beginning of their immigration, which would represent that number of conversions among two or three millions of individuals. Remembering that of the number given above a very considerable proportion make pretense of being Christians for purely business reasons and that the sincerity of the rest may be questioned on the safe assumption that the Chinaman's hereditary religious convictions can not be discarded with the ease which sanguine Christians seem to think possible, it may be well to quote the remark of Dr. Edkins, who wrote:

It must be long before Christianity can become well understood by them. Missionary efforts must be greatly increased and the agency of the press must be well worked before they will be freed from many wild misconceptions. * * * But we shall have to continue our efforts for many years yet without seeing our religion victorious unless God should interfere in unexpected providential occurrences to answer the prayer of His servants.

This is the language of an eminent divine, who consecrated his life in trying to elevate those people.

Such is the Chinaman whom unrestricted immigration would place side by side with the American laborer in nearly every branch of industry. His cheap labor might at first benefit individual employers or corporations, but to make it a part of our industrial system would be detrimental to the public interests, subversive of our civilization, and stop absolutely the wheels of progress. It is therefore our duty—I look upon it almost as a religious duty—to so legislate that the greatest good to the greatest number will result, and that the institutions of our country, of which we are so boastful and on which our safety is based, may be preserved unchanged for those who come after us.

HOUSE BILL REFERRED.

The bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent, was read twice by its title.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Foreign Relations.

Mr. PENROSE. To the Committee on Immigration. The pending bill came from that committee, and I suppose the same reference should be made of this bill.

The PRESIDENT pro tempore. Does the Senator from Pennsylvania move the same reference? The Chair is of the opinion that both bills should have gone to the Committee on Foreign Relations.

Mr. PENROSE. I move that the bill be referred to the Committee on Immigration.

Mr. FORAKER and Mr. HOAR. What is the motion?

The PRESIDENT pro tempore. The House Chinese-exclusion bill has been laid before the Senate and the motion is that it be referred to the Committee on Immigration. The Chair referred it to the Committee on Foreign Relations.

Mr. PENROSE. It would be a very extraordinary proceeding, after the Committee on Immigration had the bill as it was introduced in the Senate and spent months taking testimony aggregating several hundred pages, then to have the House bill referred to another committee.

The PRESIDENT pro tempore. It is for the Senate to decide. Mr. GALLINGER. It would give the subject a much wider scope of inquiry.

Mr. TELLER. The bill clearly should go to the Committee on Immigration; not to the Committee on Foreign Relations.

The PRESIDENT pro tempore. The question is on the motion to refer the bill to the Committee on Immigration.

The motion was agreed to.

COMPILATION ON CHINESE EXCLUSION.

Mr. FORAKER. I have here a compilation entitled "The Laws, Treaty, and Regulations relating to the Exclusion of Chinese." I understand that the print of it is exhausted, and I move that it be printed as a document, so that we may have it to-morrow morning.

The motion was agreed to.

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. Mr. President, the hour is somewhat late. There are a few pension bills on the Calendar. It would take about fifteen minutes to clear the Calendar, and at least ten Senators have been to me in the last few days asking that I request unanimous consent to have those bills considered. I now make that request.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the Senate proceed to the consideration of unobjected pension cases. Is there objection? The Chair hears none. The first pension bill on the Calendar will be proceeded with.

DAVID M. M'KNIGHT.

The bill (S. 3992) granting an increase of pension to David M. McKnight was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "second lieutenant;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David M. McKnight, late second lieutenant Company B, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE F. BOWERS.

The bill (S. 899) granting an increase of pension to George F. Bowers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 6, after the word "lieutenant," to strike out "of;" in line 7, after the word "Regiment," to insert "Provisional;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George F. Bowers, late first lieutenant Company C, Seventh Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES W. HANKINS.

The bill (S. 2738) granting an increase of pension to James W. Hankins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Hankins, late of Company H, Forty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JANE CATON.

The bill (S. 694) granting a pension to Jane Caton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Caton, widow of Mathew Caton, late of Company F, First Regiment United States Lancers, Michigan Volunteer Cavalry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. NORTON.

The bill (S. 4042) granting an increase of pension to William H. Norton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Norton, late of Company K, Thirteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEVI HATCHETT.

The bill (S. 2975) granting an increase of pension to Levi Hatchett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Levi Hatchett, late of Company B, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LYDIA M. GRANGER.

The bill (S. 4535) granting an increase of pension to Lydia M. Granger was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 6, after the words "widow of," to strike out the letter "W" and insert "William;" in line 8, before the word "dollars," to strike out "twenty" and insert "twelve;" and in line 9, after the word "receiving," to insert "and two dollars per month additional on account of each of the minor children of the said William M. Granger until they reach the age of 16 years;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lydia M. Granger, widow of William M. Granger, late of the United States Marine Corps, and grant her a pension at the rate of \$12 per month in lieu of that she is now receiving, and \$2 per month additional on account of each of the minor children of the said William M. Granger until they reach the age of 16 years.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATHAN W. SNEE.

The bill (H. R. 4176) granting an increase of pension to Nathan W. Snee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathan W. Snee, late of Company I, Seventy-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM BERRY.

The bill (H. R. 4116) granting an increase of pension to William Berry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Berry, late of Company H, Twelfth Regiment Missouri State Militia Volunteer Cavalry, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EVALINE WILSON.

The bill (H. R. 7613) granting an increase of pension to Evaline Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Evaline Wilson, widow of Adam Wilson, late of Company K, First Regiment Indiana Volunteers, war with Mexico, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET M. BOYD.

The bill (H. R. 3352) granting an increase of pension to Margaret M. Boyd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret M. Boyd, widow of Sempronius H. Boyd, late colonel Twenty-fourth Regiment Missouri Volunteer Infantry, and to pay her a pension of \$24 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB GOLDEN.

The bill (H. R. 3260) granting a pension to Jacob Golden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Golden, late of Company K, Fifteenth Regiment Missouri Volunteer Cavalry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE R. CHANEY.

The bill (H. R. 4172) granting an increase of pension to George R. Chaney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George R. Chaney,

late of Company I, Third Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMPSON B. MOORE.

The bill (H. R. 1485) granting an increase of pension to Thompson B. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thompson B. Moore, late private in Captain Barbee's company, Second Regiment Missouri Mounted Volunteer Infantry, war with Mexico, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHRISTINA HEITZ.

The bill (H. R. 291) granting a pension to Christina Heitz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Christina Heitz, widow of Charles Heitz, late of Company I, Third Regiment United States Reserve Corps Missouri Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. CARLILE.

The bill (H. R. 11025) granting a pension to Mary A. Carlile was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Carlile, widow of Henry C. Carlile, late of Company I, Twenty-fifth Regiment Missouri Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH E. ALLEN.

The bill (H. R. 3427) granting an increase of pension to Sarah E. Allen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah E. Allen, widow of Silas F. Allen, late captain Company C, Twenty-ninth Regiment Indiana Volunteer Infantry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY F. BENSON.

The bill (H. R. 1476) granting an increase of pension to Henry F. Benson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry F. Benson, late of Company B, Twenty-third Regiment Missouri Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS YOUNG.

The bill (H. R. 3354) granting an increase of pension to Thomas Young was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Young, late of Company B, Thirty-eighth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMELIA A. RUSSELL.

The bill (H. R. 12275) granting a pension to Amelia A. Russell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amelia A. Russell, widow of Michael Russell, late first lieutenant Company I, One hundred and sixty-ninth Regiment New York Volunteer Infantry, and to pay her a pension of \$17 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS E. JAMES.

The bill (S. 3334) granting an increase of pension to Thomas E. James was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas E. James, late of Company H, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and Company F, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN A. ROTAN.

The bill (S. 2409) granting a pension to John A. Rotan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Rotan, late of Company H, Forty-fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John A. Rotan."

THOMAS H. H. GIBBS.

The bill (H. R. 2613) granting an increase of pension to Thomas H. H. Gibbs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas H. H. Gibbs, late of Company I, Second Regiment California Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES S. WILSON.

The bill (H. R. 7847) granting an increase of pension to Charles S. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles S. Wilson, late of Company K, Forty-second Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIZZIE B. GREEN.

The bill (H. R. 7290) granting an increase of pension to Lizzie B. Green was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lizzie B. Green, widow of John E. Green, late captain Company C, Ninety-sixth Regiment New York Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH CULBREATH.

The bill (H. R. 12490) granting an increase of pension to Joseph Culbreath was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Culbreath, late second lieutenant Company L, Palmetto Regiment South Carolina Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES FREY.

The bill (S. 284) granting a pension to James Frey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Frey, late of Company G, Second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James Frey."

ROBERT L. ACKRIDGE.

The bill (H. R. 6023) granting an increase of pension to Robert L. Ackridge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert L. Ackridge, late of Company D, Thirty-third Regiment Kentucky Volunteer Infantry, and Company K, Twenty-sixth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RUTH BARTLETT.

The bill (H. R. 12395) granting a pension to Ruth Bartlett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ruth Bartlett, the dependent and helpless daughter of Sylvanus Bartlett, late first lieutenant Company H, Eighteenth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN J. GODFREY.

The bill (H. R. 1709) granting an increase of pension to Edwin J. Godfrey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin J. Godfrey, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AUGUSTUS E. HODGES.

The bill (H. R. 1685) granting an increase of pension to Augustus E. Hodges was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus E. Hodges, late of Company F, Fourth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW B. SPURLING.

The bill (H. R. 11916) granting an increase of pension to Andrew B. Spurling was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew B. Spurling, late lieutenant-colonel Second Regiment Maine Volunteer Cavalry and brevet brigadier-general of volunteers, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. JAMES.

The bill (H. R. 9654) granting a pension to John S. James was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. James, late captain Company D, Third Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCES E. SCOTT.

The bill (H. R. 10710) granting an increase of pension to Frances E. Scott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances E. Scott, widow of Charles H. Scott, late of Company H, Thirteenth Regiment United States Infantry, war with Mexico, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLARA B. TOWNSEND.

The bill (H. R. 9378) granting a pension to Clara B. Townsend was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clara B. Townsend, widow of Justus Townsend, late acting assistant surgeon, United States Army, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ERASTUS C. MODERWELL.

The bill (H. R. 3884) granting an increase of pension to Erastus C. Moderwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Erastus C. Moderwell, late major, Twelfth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$72 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THEOPHILE A. DAUPHIN.

The bill (H. R. 3876) granting an increase of pension to Theophile A. Dauphin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theophile A. Dauphin, late of Company K, Eighty-sixth Regiment New York Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARION BARNES.

The bill (H. R. 7525) granting a pension to Marion Barnes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marion Barnes, widow of Warren P. Barnes, late musician, Twenty-second Regiment Massachusetts Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY E. DE MARSE.

The bill (H. R. 4053) granting an increase of pension to Henry E. De Marse was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry E. De Marse, late of Company L, Eighteenth Regiment New York Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. STOCKINGS.

The bill (H. R. 10957) granting an increase of pension to Mary E. Stockings was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Stockings, widow of Robert Q. Stockings, late of Company K, Forty-seventh Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 9, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 8, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read, corrected, and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HOWELL, indefinitely, on account of illness.

TEMPORARY ELECTRIC PERMITS, DISTRICT OF COLUMBIA.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I have sent to the desk.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of a joint resolution which the Clerk will report.

The joint resolution (H. J. Res. 173) to authorize the Commissioners of the District of Columbia to issue certain temporary permits was read, as follows:

Resolved, etc., That the Commissioners of the District of Columbia are hereby authorized to permit electric-light wires to be laid in existing conduits and house connections between such conduits and Convention Hall, to be made for the purpose of supplying additional light for the Masonic Fair and Exposition of 1902: *Provided*, That all such wires shall be removed on or before May 10, 1902.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the last vote was laid on the table.

PROTECTION OF GAME IN ALASKA.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11535) for the protection of game in Alaska, and for other purposes.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act the wanton destruction of wild game animals or wild birds, the destruction of nests and eggs of such birds, or the killing of any wild bird other than a game bird, or wild game animal, for the purposes of shipment from the district of Alaska, is hereby prohibited. The term "game animals" shall include deer, moose, caribou, sheep, mountain goats, bears, sea lions, and walrus. The term "game birds" shall include water fowl, commonly known as ducks, geese, brant, and swans; shore birds, commonly known as plover, snipe, and curlew, and the several species of grouse and ptarmigan. Nothing in this act shall effect any law now in force in the Territory relating to the fur seal, sea otter, or any fur-bearing animal other than bears and sea lions, or prevent the killing of any game animal or bird for food or clothing by native Indians or Eskimo; but the game animals or birds so killed shall not be shipped or sold.

SEC. 2. That it shall be unlawful for any person in Alaska to kill any wild

game animals or wild birds except during the seasons hereinafter provided: Large brown bears, from April 15 to June 30, both inclusive; moose, caribou, walrus, and sea lions, from September 1 to October 31, both inclusive; deer, sheep, and mountain goats, from September 1 to December 15, both inclusive; grouse, ptarmigan, shore birds, and water fowl, from September 1 to December 15, both inclusive: *Provided*, That the Secretary of Agriculture is hereby authorized whenever he shall deem it necessary for the preservation of game animals or birds to make and publish rules and regulations which shall modify the close seasons hereinbefore established, or place further restrictions and limitations on the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality.

SEC. 3. That it shall be unlawful for any person at any time to kill any females or yearlings of moose, caribou, deer, or sheep, or for any one person to kill in any one year more than the number specified of each of the following game animals: Two moose, walrus, or sea lions; four caribou, sheep, goats, or large brown bears; eight deer; or to kill or have in possession in any one day more than 10 grouse or ptarmigan, or 25 shore birds or waterfowl.

That it shall be unlawful for any person at any time to hunt with hounds, to use a shotgun larger than No. 10 gauge, or any gun other than that which can be fired from the shoulder, or to use steam launches or any boats other than those propelled by oars or paddles in the pursuit of game animals or birds. And the Secretary of Agriculture is authorized to make and publish such further restrictions as he may deem necessary to prevent undue destruction of wild game animals or wild birds.

SEC. 4. That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals in the Territory of Alaska, or to sell, or offer for sale therein, any game animals or birds, or parts thereof, during the time when the killing of said animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession any game animals or birds legally killed during the open season to dispose of the same within fifteen days after the close of said season.

SEC. 5. That it shall be unlawful for any person, firm, or corporation or their officers or agents to deliver to any common carrier, or for the owner, agent, or master of any vessel, or for any other person to receive for shipment out of the said district, any hides or carcasses of caribou, deer, or parts thereof, or any wild birds or parts thereof: *Provided*, That nothing in this act shall be construed to prevent the collection of specimens for scientific purposes, the capture or shipment of live animals and birds for exhibition or propagation, or the export from the said district of specimens and trophies, under such restrictions and limitations as the Secretary of Agriculture may prescribe and publish.

SEC. 6. That any person violating any of the provisions of this act or any of the regulations promulgated by the Secretary of Agriculture shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all game or birds in his possession, and all guns, traps, nets, or boats used in killing or capturing said game or birds, and shall be punished by a fine of not more than \$200 or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court: *Provided*, That upon conviction for the second or any subsequent offense there may be imposed in addition a fine of \$50 for any violation of sections 1 and 3, and a fine of \$100 for a violation of section 2. It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs appointed for the Territory of Alaska, and all officers of revenue cutters to assist in the enforcement of this act. Any marshal or deputy marshal may arrest without warrant any person found violating any of the provisions of this act or any of the regulations herein provided, and may seize any game, birds, or hides, and any traps, nets, guns, boats, or other paraphernalia used in the capture of such game or birds and found in the possession of said person, and any collector or deputy collector of customs, or any person authorized in writing by a marshal, shall have the power above provided to arrest persons found violating this act or said regulations and seize said property without warrant, to keep and deliver the same to a marshal or a deputy marshal. It shall be the duty of the Secretary of the Treasury, upon request of the Secretary of Agriculture, to aid in carrying out the provisions of this act.

The following amendments, recommended by the Committee on the Territories, were read:

First. Amend the title of the bill by striking out the words "the district of," so that the title of the bill will read as follows: "A bill for the protection of game in Alaska, and for other purposes."

Second. In line 14, page 1, strike out the words "the Territory" and insert in lieu thereof the word "Alaska."

Third. On page 2, line 3, after the word "Eskimo," insert the words "or by miners, explorers, or travelers on a journey when in need of food."

Fourth. On page 2, in line 18, after the word "established," insert the words "or provide different close seasons for different parts of Alaska."

Fifth. On page 3, in line 16, after the word "animals," insert the words "or game birds," and in said line 16 strike out the words "the Territory of," so that the same will read "of any game animals or game birds in Alaska;" also, on page 3, line 17, insert the word "game" before the word "birds;" also, on page 3, in line 20, insert the word "game" before the word "birds."

Sixth. On page 4, in line 1, after the word "shipment," insert the words "or have in possession with intent to ship;" also, on page 4, in lines 1 and 2, strike out the words "the said district" and insert in lieu thereof the word "Alaska;" also, on page 4, in line 2, after the word "deer," insert the words "moose, mountain sheep, or mountain goat," so that that portion of said section will read as follows: "For any other person to receive for shipment, or have in possession with intent to ship out of Alaska, any hides or carcasses of caribou, deer, moose, mountain sheep, or mountain goat;" also, on page 4, line 7, strike out the words "the said district" and insert in lieu thereof the word "Alaska."

Seventh. On page 4, in line 16, after the word "punished," insert the words "for each offense;" also, on page 4, in lines 24 and 25, strike out the words "the Territory of."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MADDOX. Reserving the right to object, I should like to hear the gentleman's explanation of the bill. I tried to hear it read, but although I did my best I could not hear it, and I have no idea that anybody else heard it. I want to know what is in the bill. If it is all right I shall have no objection to it.

Mr. LACEY. Mr. Speaker, if I can have the attention of the House I think there will be no opposition to this bill. It is a bill that has attracted considerable attention, owing to the peculiar situation in Alaska. When we enacted the code of Alaska in the last session, either by accident or oversight the laws then in existence there, which were the laws of Oregon, extended there by

act of Congress, were all repealed, including the game laws. The game laws of Oregon were up to that time the game laws of Alaska.

The Alaska code contained nothing on the subject, and the result was that last season, after the repeal of the Oregon code, the slaughter of the game, the subsistence of the Indians in Alaska, went on in an unparalleled manner. It has been reported to me that one Englishman upon an island along the coast killed 150 walrus in one day, leaving them to rot, not even carrying off the tusks, killing them simply for the delight of slaughter. It appears that at some points in Alaska 6,000 and 8,000 and even 10,000 deer skins have been shipped from a single port. The Indians have been induced by the offer of 30 or 40 cents a skin to kill the deer merely for the hides, thus destroying their own future subsistence. This situation calls upon Congress for early relief. Legislation earlier in the session would not have been availing, because if the law were enacted it could not, on account of the ice, get to Alaska until about the latter part of May or probably the early part of June, in the Nome region, the uppermost part of Alaska; but it is important that this bill should go through in time to be the law of the land during the coming season.

The bill has been drawn with considerable care. It was gone over by the Territorial Committee and parties interested in the subject from the Department of Agriculture, and it is the unanimous report of the committee with the amendments which have been read to the House.

Mr. ROBINSON of Indiana. May I interrupt the gentleman? The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. LACEY. Yes; I yield to the gentleman from Indiana. Mr. ROBINSON of Indiana. I will say to the gentleman from Georgia [Mr. MADDOX] that I concur in the statements made by the gentleman from Iowa. The Committee on the Territories gave the most careful attention to this bill. We found no objection to it. On the contrary, we found a very great necessity for the enactment of this legislation, which was concurred in unanimously by the members of the Committee on the Territories.

Mr. LACEY. It is a question of the starvation of the Indians, Mr. Speaker, unless some relief is granted there, and the dark chapter of the destruction of our large and small game in other parts of the United States is now being repeated in Alaska. This step, if taken now, will be timely, and it ought to be taken at an early date.

Mr. KLEBERG rose.

Mr. LACEY. I yield to my friend from Texas.

Mr. KLEBERG. I just wish to say that this bill has the full support of the entire committee, Democrats and Republicans. There is no division upon it. I think it is a necessary measure to protect the game of Alaska, and I indorse everything my friend from Iowa has said about it.

The SPEAKER. Is there objection?

Mr. MADDOX. Just one word—

Mr. LACEY. I would like to yield to the gentleman from Washington a moment before I yield to the gentleman from Georgia.

Mr. CUSHMAN. Mr. Speaker, the bill at present before this House for consideration is a bill to provide a game law for Alaska. This bill was introduced by the distinguished gentleman from Iowa [Mr. LACEY], whose name is associated with other legislation on the subject of game which has heretofore passed the American Congress. The name of that gentleman at the masthead of this bill is one of the very best indorsements it could possibly have.

I regard this pending bill as one of the very best bills that have come before this House for its consideration since I have been a member of this body. Within the very short time allotted to us for the presentation of this matter to the House to-day it will be impossible for me to discuss this bill and its provisions at length. I will say to you, however, that this bill has been as carefully prepared as any bill that ever came forth from any committee of this House. The bill when introduced was referred to the Committee on Territories. The bill in its present form has the unanimous indorsement of every member of that committee. The committee having this bill in charge called before them gentlemen who had been in Alaska and who were reasonably familiar with the conditions prevailing there with especial reference to wild game.

Thus we have had before us testimony showing the actual conditions existing in that region, and this bill has not been framed to cover any theoretical condition, but to meet the actual situation that exists in Alaska to-day.

In the first place, as was stated by the gentleman from Iowa, before the Alaska Code (which we enacted two years ago) went into force in Alaska—before that time, the general laws of the State of Oregon were in force in Alaska. That portion of the laws of Oregon relating to game was therefore in force in Alaska.

When we came to prepare the code for Alaska it was stated that the conditions in Alaska were so vastly different from those in Oregon that a game law for Alaska based on the Oregon law would not come anywhere near fitting the situation in Alaska. The committee in charge of the revision therefore omitted these laws altogether, and no provisions for the protection or preservation of game were inserted in the Alaska Code. So that the situation, in a nutshell, is briefly this: Alaska lost the old game law which she formerly had and got nothing in its place.

I state here and now—and I wish to give all the emphasis to it that this occasion will permit—that Alaska constitutes the only strip of land on this continent over which the American flag floats that does not have any law for the protection of game birds and game animals. It is the only bit of territory between the Rio Grande and the North Pole that has been so neglected by the law-making power that they have not even a game law.

This fact in itself shows the necessity for some kind of legislation on this subject.

As is well known to all of you, I live in the State of Washington, the State of this Union that is closest to Alaska, and when I say the State that is closest to Alaska I mean it not only in a geographical sense, but commercially and industrially and financially, and in every other sense there exists a bond of sympathy between Alaska and the State of Washington. They have no representative on this floor, and they expect the representatives of the State of Washington to speak for them and to demand protection for their interests. This I am both proud and happy to do.

Two years and a half ago I took a trip from the State of Washington throughout southeastern Alaska. I found out something of the game conditions there then. At every place our boat stopped—at Wrangell, at Juneau, at Skagway—some one would call my attention to the wanton slaughter of the wild game that was going on in that region. Among other game in that region the deer are found in abundance. The Indians can get 50 or 60 cents for a deer skin, and with the characteristic improvidence of his race he will kill a large number of deer whenever the opportunity occurs, take the skins and sell them, and leave the carcasses rotting on the ground. He is thereby destroying the food supply that in a few years he will need.

Now, this bill, among other provisions, absolutely prohibits the sale or offering for sale at any time the skins of game animals, and also makes it unlawful to ship hides out of Alaska. You will observe that when we take away from the white trader the right to traffic in these skins the Indian will lose his market for them. When the Indian loses his incentive to kill the deer he will cease the slaughter. This is only one of the many points of this game bill. I have not time to discuss them all. I shall put into the RECORD as a part of my remarks the report on this bill, which I assisted in preparing.

I trust we have no opposition to the passage of this much-needed and worthy measure.

The report above referred to is as follows:

[House Report No. 951, Fifty-seventh Congress, first session.]

GAME LAW IN ALASKA.

The Committee on the Territories, to whom was referred the bill (H. R. 11535) for the protection of game in the district of Alaska, and for other purposes, having had said bill under consideration, report the same with the following amendments:

First. Amend the title of the bill by striking out the words "the district of," so that the title of the bill will read as follows: "A bill for the protection of game in Alaska, and for other purposes."

Second. In line 14, page 1, strike out the words "the Territory" and insert in lieu thereof the word "Alaska."

Third. On page 2, line 3, after the word "Eskimo," insert the words "or by miners, explorers, or travelers on a journey when in need of food."

Fourth. On page 2, in line 18, after the word "established," insert the words "or provide different close seasons for different parts of Alaska."

Fifth. On page 3, in line 16, after the word "animals," insert the words "or game birds," and in said line 16 strike out the words "the Territory of," so that the same will read "of any game animals or game birds in Alaska;" also, on page 3, line 17, insert the word "game" before the word "birds;" also, on page 3, in line 20, insert the word "game" before the word "birds."

Sixth. On page 4, in line 1, after the word "shipment," insert the words "or have in possession with intent to ship;" also, on page 4, in lines 1 and 2, strike out the words "the said district" and insert in lieu thereof the word "Alaska;" also, on page 4, in line 2, after the word "deer," insert the words "moose, mountain sheep, or mountain goat," so that that portion of said section will read as follows: "For any other person to receive for shipment, or have in possession with intent to ship out of Alaska, any hides or carcasses of caribou, deer, moose, mountain sheep, or mountain goat;" also, on page 4, line 7, strike out the words "the said district" and insert in lieu thereof the word "Alaska."

Seventh. On page 4, in line 16, after the word "punished," insert the words "for each offense;" also, on page 4, in lines 24 and 25, strike out the words "the Territory of."

And as above amended the committee recommend that the bill do pass. Some of the salient features of this bill are as follows:

Prohibits wanton destruction of game animals, game birds, nests, and eggs. Prohibits killing of any game animal or game bird except in specified seasons.

Prohibits the killing of certain of the female game species at any time.

Prohibits the sale or offering for sale at any time of the skins and heads of game animals or birds.

Prohibits the sale of game animals or birds at any time save during the season when it is lawful to kill the same.

Prohibits the shipment out of Alaska of skins or carcasses of game animals or birds.

Provides that miners, campers, or travelers on a journey, in need of food, may at any time kill such game birds or animals as are necessary for food.

Provides that the Indians and Eskimo may at all times kill game animals or birds for their food or clothing.

Provides for punishment for the violation of its provisions by fine or imprisonment or both.

This bill has for its object the protection and preservation of the game birds and animals of Alaska. When the code for Alaska was enacted two years ago it embraced much of the preexisting laws, and also included many new features. Congress had formerly made the laws of the State of Oregon applicable to Alaska. The game laws of Oregon were therefore in force, and though not entirely adapted to the situation in Alaska, were found very useful. The committee in charge of the revision found the subject of game protection quite complicated owing to the great variety of conditions to be met, and therefore omitted these laws altogether, and left Alaska wholly without any statutory protection for the game within her borders.

As Alaska is the greatest wild game region now remaining in America, the misfortune of such a condition strongly appeals to Congress for a prompt remedy.

It is hardly possible that the bill should be perfect in all respects or meet all the requirements in Alaska. It must be remembered that to draw a game bill for so large a country is a vastly different and far more difficult matter than to draw such a bill for any single State or Territory of the Union. In any one of the States of the Union (even the largest of them) the scope of territory embraced is comparatively small, and the game conditions in all parts of the State are substantially similar. The drawing of a game bill for Alaska is equivalent to attempting in a single law to cover the New England, Atlantic, and Middle States, or like trying to make a single game bill broad enough in its provisions to cover all the country west of the Mississippi River to the summit of the Rocky Mountains.

Alaska comprises a vast stretch of territory, and in the different parts thereof are widely different seasons and varying conditions. It is manifestly very difficult, therefore, in the provisions of one bill to meet all these difficulties satisfactorily. We have attempted to meet them by vesting a large amount of power and discretion in the Secretary of Agriculture. The latter part of section 2 of the bill provides:

"That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations which shall modify the close season for different parts of Alaska, or place further restrictions and limitations on the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality."

In any new mining country travelers and miners will kill game in season and out of it for the supply of their immediate wants; and they should be so authorized by law, so as not to be forced to violate the law. The amendment suggested by the committee to meet this necessity is substantially the same as that in force in the Northwest Territory of the Dominion of Canada, and which your committee are informed has operated successfully therein.

In this enlightened day, with the experience of the recent past before us, it needs no argument to show that the wanton and indiscriminate slaughter of game birds and fish should be curbed by law. The desolate woods and barren streams in other parts of the United States serve as a solemn warning as to the fate of these creatures in Alaska unless immediately protected by law.

It was indeed unfortunate that at this critical time, when Alaska is becoming settled, that a period of nearly two years should occur in which there should be no law whatever upon this subject, and the necessity of speedy relief is obvious.

The reports from that country are uniform that Congressional action should not be delayed.

The prohibition of game shipments from Alaska and the suppression of commerce in hides will do more to stop the indiscriminate destruction of animal life than any other enactment that can be devised.

Indians will wholly destroy their food supply for the trifling compensation that they receive for the skins of the victims. The slaughter of deer and other animals for the purpose of shipping the hides should be wholly suppressed.

Judge Melville C. Brown, judge of the United States district court of Alaska for the Juneau Division, writes the following letter on this subject:

DEPARTMENT OF JUSTICE, UNITED STATES DISTRICT COURT,

FIRST DIVISION, DISTRICT OF ALASKA,

Juneau, Alaska, January 26, 1902.

MY DEAR BRECKONS: The slaughter of game in this country is becoming monstrous. It is said that no less than 15,000 deer hides were shipped out of southeast Alaska during last season. It is altogether probable that the slaughter of deer will be as great this winter. The result is self-evident; that within two or three years the game supply will be wholly exhausted and the natives left without food supply, and in order to live at all they will have to be subsisted by the Government.

The natives slaughter this game, not for food purposes, but to secure the price they obtain for the hides, which is a very trifling sum—some 40 cents on the average. Of course they use such portions of the animal for food as their immediate necessities demand, but it is safe to say that nine-tenths of the deer slaughtered are left upon the ground to rot. I am not personally cognizant of all these matters, but the whole question was before the grand jury a year ago this winter, and after diligent inquiry the grand jury reported upon the matter.

Some law should be passed by Congress at this session that will put an end to this indiscriminate slaughter of game. A game law not as stringent in terms as ours in Wyoming in many respects will answer every purpose here. And the one thing that will stop the indiscriminate slaughter is the prevention of the hides being shipped from the country or sold, and making it an offense against the law, with a severe penalty, for any vessel or other medium of transportation to receive such hides for shipment or to have them in their possession for such purpose, and punishing any transportation or shipment of hides either from the mainland or any of the islands of Alaska. This will tend to save the game, and eventually to save the Indians from starvation. Of course this law should apply to moose, elk, mountain goat, mountain sheep, etc., as well as to deer.

The mountains in this country rise out of the sea, as it were, from the islands as well as on the shore of the mainland, and run up to great heights. When the snow falls in winter the deer are driven down to the shores of the sea for subsistence, and the Indians are said to gather in a bunch of deer as high as 500 in number, and these are driven into the deep snow in some canyon and then the Indians kill them with clubs and wipe out the bunch of deer gathered in that way. It is easy to understand how rapidly they may be extinguished entirely by such methods.

Very sincerely, yours,

M. C. BROWN,
Judge United States District Court,
First Division, District of Alaska.

J. A. BRECKONS, Esq.,
Washington, D. C.

The grand jury of the United States district court of Alaska, assembled at Juneau, in resolutions adopted by them January 3, 1901, ask for the enactment of a game law for Alaska, and in their resolutions use the following language:

"Whereas it is within the knowledge of the grand jury duly impaneled for the December, 1900, term of the United States district court of Alaska, in and for division No. 1 thereof, and assembled from all parts of said division and being thoroughly conversant with existing conditions, that there has been and is a wanton and willful destruction of game in this district; that it is an acknowledged fact that thousands of deer are killed annually for their hide, which sells for the paltry sum of 40 cents, while their carcasses are left to decompose or be devoured by wild beasts. Congress has sadly neglected to make any provision for the protection of our game, the natural meat supply of the natives and of the miners and prospectors who are hundreds of miles from the markets of the district, prospecting and developing our great mineral resources: Therefore, be it

"Resolved, That Congress be, and it is hereby, petitioned to insert in the Alaska criminal code the following game law:

"That any person or persons, corporation or corporations, offering for sale in, or any person or persons, corporation or corporations, or common carrier receiving for exportation from the district of Alaska the flesh of the deer, moose, caribou, elk, mountain sheep or goat, goose, brant, duck, grouse or ptarmigan, or the hides or horns of the deer, moose, caribou, elk, mountain sheep or goat, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500 or imprisonment in the county jail not more than one year, or both.

"Each and every deputy United States marshal within said district shall be ex officio game warden for their respective districts, and shall receive as compensation for said service one-half of all fines collected by due process of law under this act."

"Unanimously adopted by the grand jury January 3, 1901.

"WM. M. EBNER, Foreman.

"C. D. GARFIELD, Secretary."

The following letter from A. S. Dautrick, of Juneau, Alaska, is self-explanatory, not only of the situation, but also as to the feeling of the people of Alaska regarding this much-desired legislation:

JUNEAU, ALASKA, February 18, 1902.

MY DEAR CUSHMAN: You will remember that at various times we have talked about some sort of a game law for Alaska, and the last time you told me that you would look into the matter. I imagine, however, that a multitude of other things have prevented you. The slaughter of deer in the district is so outrageous that unless some law is passed the last territory for the sportsman will be played out. I think that you will agree with me that it should have some protection in the way of a game law. Please let me know whether you care to prepare such a bill or if you would prefer to have some one up here to do it and forward to you to have it introduced.

Yours, truly,

A. S. DAUTRICK.

HON. FRANCIS W. CUSHMAN, M. C.,
House of Representatives, Washington, D. C.

The following documents from the Department of the Interior, the Attorney-General of the United States, and letter from Mr. Dall De Weese will also throw a great deal of light upon the situation in Alaska:

DEPARTMENT OF THE INTERIOR, Washington, February 1, 1902.

SIR: I have the honor to transmit herewith a copy of a letter from Mr. Dall De Weese, of Canon City, Colo., received by reference from the President, calling attention to the necessity for legislation looking to the protection of large game in Alaska, together with copy of a letter from the honorable the Attorney-General, to whose attention the matter was directed and at whose instance this communication is written.

Copies of Mr. De Weese's letter were transmitted to the Senate and House Committees on Territories, respectively, on the 15th ultimo.

In this connection attention is directed to the recommendation contained in the Report of the Secretary of the Interior for the fiscal year ended June 30, 1899, a copy of which is herewith transmitted, submitting an amendment to the act of March 3, 1899, "To define and punish crimes in the district of Alaska," looking to the protection of deer in that Territory.

Very respectfully,

E. A. HITCHCOCK, Secretary.

HON. JOHN F. LACEY,
Chairman Committee on Public Lands, House of Representatives.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 21, 1902.

SIR: I have the honor to acknowledge the receipt of your note of January 16, 1902, inclosing a copy of a letter from Dall De Weese, of Canon City, Colo., to the President, dated December 1, 1901, and a copy of the Annual Report of the Secretary of the Interior for the year ending June 30, 1899, all of which has reference to the protection of game in the Territory of Alaska.

I note with approval the suggestion in your report above referred to of an amendment of the criminal code of Alaska with a view to game preservation there, as also the suggestion of Mr. De Weese in the same direction. But I am not sufficiently familiar with the situation in Alaska to be able to express an opinion whether these are just those best suited to the conditions of that Territory, nor as to how far the natives there, who are to some extent dependent upon game for subsistence, should be included in the prohibition, nor whether other kinds of game than those mentioned in either suggestion should not be included.

At the request of Hon. JOHN F. LACEY, chairman of the House Committee on Public Lands, I recently gave him a statement of my views as to the power of Congress in this matter. And while that referred chiefly to the question of such power as to the public lands within the limits of a State, yet it also referred to the same question in the Territories. Perhaps it would be well to refer the communication of Mr. De Weese with this and a reference to the suggestions in your report to him, as I think he is much interested in the subject. And I suppose that many useful suggestions would be obtained from Governor Brady, of that Territory, not only as to how far the natives should be included in the prohibition, but also as to the kinds of game that should be protected, in what seasons of the year the prohibition should be operative, either as to all or some kinds of game, and whether it should not be operative the year round as to some kinds.

Respectfully,

P. C. KNOX, Attorney-General.

The SECRETARY OF THE INTERIOR.

PROTECT ALASKA GAME.

CANON CITY, COLO., December 1, 1901.

The PRESIDENT:

This is a subject that appeals to every "true-blue sportsman," every lover of animal life, and all those who see beauty in nature, embracing forests, plains, and mountains throughout our entire country, and while the woods, plains, and mountains are naturally beautiful, we all agree that they are much more

grand and lifelike when the wild animals and birds are present. There are now several organizations doing work toward the preservation of wild animal and bird life. There is much yet for us to do. Resolve is to act; let us be up and at it.

For twenty years of my life I have taken my fall outing, embracing the greater part of North America. I have made trips in recent years to various parts of our mountains, where I hunted eighteen to twenty years ago, and it is appalling to note how rapidly the wild animals are disappearing. While I am but 49 years of age, I have seen in this short period the extermination of our buffalo. At the time of my first trip West there were millions. The antelope at that time were thousands—they are now reduced to dozens, here and there. There were also elk yet upon the plains—now there are none. There were bison in our mountains within 25 miles of the place in which I am writing.

I doubt if there are 20 wild bison now in the United States. I have seen thousands of deer in Montana, Idaho, Utah, Mexico, and Colorado, where these numbers are now, comparatively, reduced to one, three, five, and twenties. The "big horn" mountain sheep (*Ovis montana*) that were then hundreds are now reduced with comparative ratio to the rest.

When I was hunting in New Brunswick in 1896, I was told by good authority that these conditions were not quite so bad there and that the enforcement of their laws was the safeguard there as well as in Maine.

During my four seasons' hunting in Alaska, my observations from past experience foreshadow that without stringent laws and their rigid enforcement the big game of Alaska is doomed to as rapid an extermination as it was upon the plains and mountains of Colorado. I will narrate one instance: When in the Kenai Mountains, Alaska, on the 23d day of August, 1897 (from my diary), Mr. Berg and myself, while sitting together on the mountain side, with the aid of a field glass, counted 500 wild white sheep (*Ovis dalli*), all within a radius of 6 to 8 miles, 10 here, 6 there, then 20 and 30 in another locality.

Can a true hunter or a lover of nature imagine a more beautiful sight? Look! Here and there were grand old towering mountains, all snow-capped, some furrowed with gaping canyons, some separated with a mighty glacier, others with a gradual slope carpeted with nutritious grass, upon which these beautiful denizens of the snowy mountains of the north loitered about in groups, either feeding or resting.

I was in these same mountains again in 1898, my wife accompanying me there in 1899. I wanted her to see what had at that time never before been a woman's pleasure. I was in these same mountains again this season (1901), and there is no question about the *Ovis dalli* decreasing in numbers; it is perceptible.

If mineral should be discovered in these mountains, and with no laws to protect this animal, they would be exterminated in a very short time. In 1899 when passing through a section where a so-called "sportsman" had been hunting, four carcasses were lying on one small hill, nothing having been touched, the heads of horns being too small and the work of skinning and preserving too great to suit his—I was going to say his "sport"-ship, but will make it his "devil"-ship.

In 1899 myself, wife, and party killed four sheep, two of which were killed by my wife. We could have killed a hundred. This season (1901) we killed but one, as we needed it for meat; also one bull caribou.

The natives are very destructive to sheep. I have seen them in parties of their own shoot sheep, and if it ran off wounded or fell over a low cliff they never went after it; "too much work; shoot more." When in my party I never allow a native to carry a gun. The conditions I have mentioned regarding sheep extermination the same will apply to moose and caribou.

Now, then, dear reader, if all I have said about this transformation of game from plenty to almost extermination is so perceptible in one man's short life, we all can see its finish in the course of a very few years, unless we act quick while there is yet time.

Alaska is a new country, and a good portion of it is uninhabitable for man, and in this respect it is thus more suitable for game; and there is less excuse for its being slaughtered on account of the country not being desirable for the use of "home seekers." I am sorry to say it, although it is true, that, where the climatic conditions are favorable for the advancement of civilization and the "tiller" of the soil, just so sure is the doom of game in that land—remote and inaccessible localities and game preserves that extend to the winter feeding grounds excepted.

It is not necessary that big game be slaughtered to furnish the "meat stuff" in Alaska, for where man can go a pack train can go also; then it is made possible for the wagons, then railroads. Neither is it necessary that game be slaughtered for the native food supply, yet let them kill what they will actually use; and if our Government would thoroughly instruct the missionaries and priests of Alaska to intercede with the natives on behalf of the game, much good could be done. Teach them the wrong in killing the female and the young of any and all animals. I have talked this with natives in my camp and noticed that it was hard for them to conceive it, yet by constant teaching it will have its effect. I believe that some such game laws as I hereafter mention would be effective in Alaska if enforced.

My twenty-seven years of experience in hunting has convinced me that the "market-meat hunter" is the most destructive to the big game. Where mining localities are remote from railroads or steamship transportation, "meat stuff" is correspondingly expensive; hence if game about the "meat hunter" finds a profitable business and he is always on hand.

Make the law and enforce it whereby it is a penal offense coupled with a fine of \$100 for each offense where a party or parties offer for sale or barter the flesh of any game animal or bird at any spot or place in Alaskan territory, the same law to apply to any and every company and individual attempting to ship or transport game flesh of any kind out of the Territory.

Make a nonresident license law, requiring every sportsman going to hunt and hunting in Alaska to pay \$9 for that privilege, and that this sum allows him to take out of the Territory only one specimen of each species killed by him. The same law to provide a license fee of \$100, which would give the sportsman or hunter taking out that license the right to kill and transport two specimens of each species of animal killed by him, and that he is not allowed to take out more than this quota. The money thus paid to the district commissioners, who might be the nearest postmaster where the hunting is done, and this money to be used, first, for the prosecution of a person or persons violating this law, and any surplus that might accumulate in one year over \$300, that surplus to go to the native school fund of that district.

Make a law that gives an open season only on game from August 15 to November 1, with a fine of \$100 for its violation. This law should apply to natives also as well as nonresidents except where the animal is shot absolutely for immediate food necessity.

Make a law that prohibits sportsmen or other persons from employing natives or other men for killing big game animals or birds, for in doing so most of the meat is wasted and the heads shipped and sold.

Make a law prohibiting the killing of the big brown bear (*Ursus middendorffi*) on Kadiak Island for a period of five years. This would in no way be an injustice to the natives, as this island now contains so few of these animals that hunting them is no longer profitable, and neither do the natives depend on this for support.

Negotiations should be commenced with Great Britain to implore them to

pass some such laws that would coincide with ours that would govern that part of the Yukon or British territory (Columbia) that joins Alaska.

I know full well what objections will be made to such laws by "fur traders," hide and head hunters, but it is right that the grand old bull moose and bull caribou or the great old ram, "*Ovis dalli*," be shot down by the native, paid for so doing by the so-called sportsmen, and only the head taken from the carcass and that shipped out and sold? Isay, is it right that this should be permitted for the gain of a few individuals at the expense of the lives of all the big game of that country, as well as the lovers of nature and the true-blue sportsmen not yet born, all to whom we are responsible?

Let us all act now and use our influence to have some measures appertaining hereto properly brought before the coming session of Congress with the earnest appeal for their enactment.

I have talked several times with Hon. J. G. Brady, governor of Alaska, regarding this subject, and he urged me to formulate some practical measure and he would give it his support.

Yours, fraternally,

DALL DE WEESE,
Canon City, Colo.

The following extract is taken from the last annual report of Governor John Brady, of Alaska, to the honorable Secretary of the Interior.

No language could state more clearly or forcibly than the report of the governor, not only that a game law is needed for Alaska, but that said game law should contain the provisions which are contained in this bill.

[Report of Governor Brady, of Alaska, on game.]

GAME LAW.

Congress should enact a game law for this district. The large game, like the moose, caribou, and common deer, need protection. The wanton slaughter of deer has been carried on to a great extent in southeast Alaska by the natives. In the winter and spring, when the snow is heavy upon the mountains and even to the beach, these animals seek the shores of the island. They become weak, and when run into a snowdrift can be killed with a club.

A single native has been known to bring in as many as 150 skins of animals which he has killed in this fashion. He makes no attempt to use the meat. All he wants is the skin to sell at the store. This does not bring him very much, for it is a winter skin, and therefore not desirable by the dealer. This all can be corrected by prohibiting the exportation of deer hides from Alaska. The native will have no incentive to kill deer simply for their hides. The hides of those which he kills for himself or to sell he can make use of for his own moccasins and other articles of clothing which he uses.

Mr. LACEY. I yield to the gentleman from New York, and then I will yield to the gentleman from Georgia.

Mr. SULZER. Mr. Speaker, the purpose of this bill is to protect and to some extent preserve the game birds and wild animals in the district of Alaska. It is a most commendable measure, and should pass without opposition. I am enthusiastically in favor of the passage of this bill, and request the indulgence of this House for a few moments to plead its urgent necessity. I have carefully examined the provisions of this proposed game law, and in my opinion they meet the immediate requirements of the case and will prevent the ruthless extermination of wild animals in Alaska. It is high time we acted in this matter. The cruel and unnecessary slaughter of wild game animals in Alaska at the present time, and for the past few years, has been as wanton as it has been enormous; and if the wholesale slaughter is not stopped by a drastic game law the birds and wild animals will soon be exterminated. Nearly all of them are killed for their skins. I hold in my hand and will read a letter just received, dated March 14, 1903, from a gentleman I know well—a shipping agent at Wrangell, Alaska. This letter is as follows:

McKINNON WARE AND FORWARDING COMPANY,
Wrangell, Alaska, March 14, 1903.

DEAR SIR: As it has been some time since I last wrote you, I will now pen you a few lines pertaining to this part of the country.

Our weather has been very mild this winter and snow very scarce, as it has snowed only three times from November 23, 1901, to the last of the present month, and the snow then being about 2 inches deep. At the present time we have the largest fall of snow of the season, it being 5 inches deep, but it has started to rain and I suppose within the next forty-eight hours it will be a thing of the past.

Now, this last fall of snow on the ground at present brings up the usual slaughter of our deer, and knowing you to be a true sportsman (from hunting with you in the past three seasons) I know you will certainly help to give us Alaskan people a game law that will protect the deer of our district.

You know from being on the ground that there are thousands of deer slaughtered in this district simply for their hides. I myself have shipped about 4,000 deer skins within the last six months, and I honestly think that at least 3,500 of the deer killed were simply killed for the hides, the carcasses being left on the ground to rot or eaten by wolves.

The amount of deer I refer to is simply a few that come to Wrangell for shipment, all killed within a radius of 50 miles of our town. Just think how many there must be slaughtered in the thousands of square miles of our northern country of Alaska.

Now, if you can help get us a game law, you will have the eternal friendship of all good law-abiding citizens of this far-away Alaska.

If you can drop me a line and suggest any way in which I can promote this game law, I wish you would kindly do so, as I would willingly give up any reasonable amount of time and money to get the law that we need so badly in order to protect the deer of our country.

Hoping to hear from you in regard to the law to protect the deer,

I remain, sincerely, yours,

J. F. COLLINS.

Hon. WILLIAM SULZER, Washington, D. C.

Mr. Speaker, that letter is true. It speaks for itself, and the story it tells justifies the immediate passage of this bill. I have spent some time in Alaska, and I know whereof I speak when I say that much additional testimony of a like character could be adduced if necessary. In fact, the citizens generally in Alaska are anxious that the wild game there should be protected by a stringent law immediately enacted by Congress. Judge M. C. Brown, of the United States district court for Alaska, tersely sums up the situation at the present time in a recent letter to a friend, from which I now quote. The learned judge says:

Some law should be passed by Congress at this session that will put an end to this indiscriminate slaughter of game. And the one thing that will stop

the indiscriminate slaughter is the prevention of the hides being shipped from the country or sold, and making it an offense against the law, with a severe penalty, for any vessel or other medium of transportation to receive such hides for shipment or to have them in their possession for such purpose, and punishing any transportation or shipment of hides either from the mainland or any of the islands of Alaska. This will tend to save the game, and eventually to save the Indians from starvation. Of course this law should apply to moose, elk, mountain goat, mountain sheep, etc., as well as to deer.

The mountains in this country rise out of the sea, as it were, from the islands as well as on the shore of the mainland, and run up to great heights. When the snow falls in winter the deer are driven down to the shores of the sea for subsistence, and the Indians are said to gather in a bunch of deer as high as 500 in number, and these are driven into the deep snow in some canyon and then the Indians kill them with clubs and wipe out the bunch of deer gathered in that way. It is easy to understand how rapidly they may be extinguished entirely by such methods.

When the code for Alaska was enacted two years ago, it embraced much of the preexisting laws, and also included many new features. Congress had formerly made the laws of the State of Oregon applicable to Alaska. The game laws of Oregon were therefore in force, and though not entirely adapted to the situation in Alaska were found very useful. The committee in charge of the revision found the subject of game protection quite complicated, owing to the great variety of conditions to be met, and therefore omitted these laws altogether and left Alaska wholly without any statutory protection. As Alaska is the greatest wild-game region now remaining in America the misfortune of such a condition strongly appeals to Congress for prompt action.

The indiscriminate slaughter of wild game birds and animals in Alaska is monstrous and most deplorable. The wanton slaughter of this game by the natives—not for food purposes, but for the small sum they can get for the skins—is a crying shame. Last summer I was told in Alaska that nine-tenths of the large game, like moose, elk, caribou, sheep, goats, and deer, when slaughtered by the vandal natives, are stripped of their skins and the carcasses left on the ground to rot. It is said, and I have no reason to doubt it, that more than 20,000 of these skins were shipped from southeastern Alaska last year. What a cruel shame it all is. If Congress does not stop it now, these animals in Alaska will soon be as scarce as the buffalo. Year in and year out this frightful slaughter goes on, but I believe it has been carried on to a greater extent in southeastern Alaska by the natives than in any other part of the district. In the winter and spring, when the snow is heavy on the mountains and even to the beach, these animals seek the shores of the islands. They become weak, and when run into a snowdrift can be killed with a club. A single native has been known to bring in as many as 150 skins of animals which he has killed in this fashion. He makes no attempt to use the meat. All he wants is the skin to sell at the store. This does not bring him very much, for it is a winter skin and therefore not very desirable by the dealer. This all can be corrected by prohibiting the exportation of deer hides from Alaska. The native will have no incentive then to kill deer simply for their hides. The hides of those which he kills for himself he can make use of for his own moccasins and other articles of clothing.

In this connection, Mr. Speaker, I wish to call the attention of the House to the following, which I deem very important. The grand jury of the United States district court of Alaska, assembled at Juneau January 3, 1901, ask for the enactment of a game law for Alaska, and in their resolutions use the following language:

Whereas it is within the knowledge of the grand jury impaneled for the December, 1900, term of the United States district court of Alaska, in and for division No. 1 thereof, and assembled from all parts of said division and being thoroughly conversant with existing conditions, that there has been and is a wanton and willful destruction of game in this district; that it is an acknowledged fact that thousands of deer are killed annually for their hide, which sells for the paltry sum of 40 cents, while their carcasses are left to decompose or be devoured by wild beasts. Congress has sadly neglected to make any provision for the protection of our game, the natural meat supply of the natives and of the miners and prospectors who are hundreds of miles from the markets of the district, prospecting and developing our great mineral resources. Therefore be it

Resolved, That Congress be, and it is hereby, petitioned to insert in the Alaska criminal code the following game law:

"That any person or persons, corporation or corporations, offering for sale in, or any person or persons, corporation or corporations, or common carrier receiving for exportation from the district of Alaska the flesh of the deer, moose, caribou, elk, mountain sheep or goat, goose, brant, duck, grouse or ptarmigan, or the hides or horns of the deer, moose, caribou, elk, mountain sheep or goat, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500 or imprisonment in the county jail not more than one year, or both.

"Each and every deputy United States marshal within said district shall be ex officio game warden for their respective districts, and shall receive as compensation for said service one-half of all fines collected by due process of law under this act."

Unanimously adopted by the grand jury January 3, 1901.

W. M. M. EBNER, Foreman.
C. D. GARFIELD, Secretary.

Mr. Ebner, the foreman of that grand jury, is a distinguished citizen of Juneau, whom I have had the pleasure of meeting and talking with regarding this subject.

This bill amply protects the Indian natives and allows them at all times to kill wild birds and animals for food and clothing. It also provides that miners, campers, and travelers on a journey in need of food may at any time kill such game birds and animals as may be necessary for food. No true sportsman can take

exception to the provisions of this bill, and every lover of wild animals will, I feel confident, commend its enactment into law. The highest consideration for the natives, whose chief food supply will be exhausted when the game is exterminated, and the imperative duty of each member of this House charged with the responsibility of protecting our wild animals and game birds demand, in my judgment, the immediate and unanimous passage of this wise, farseeing, and commendable measure. [Applause.]

Mr. LACEY. Now I will yield to the gentleman from Georgia.

Mr. MADDOX. I just want to say, Mr. Speaker, that when this bill was being read I discovered that it was a very long bill, and tried my best to hear what was in it, but could not. I noticed that it provided for fines and forfeitures and one thing and another, and so far as I was concerned I was satisfied after the gentleman from Iowa had made his statement, and I have no objection.

Mr. LLOYD. Mr. Speaker, I wish to say in connection with the bill that the committee to which it was referred has carefully investigated the matter. I simply ask the privilege of inserting in my remarks the report of the judge of the district where the game is—

The SPEAKER. Unanimous consent has not yet been given. After that matter is settled, the Chair will recognize the gentleman. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. Now the Chair recognizes the gentleman from Missouri.

Mr. LACEY. I ask to be recognized, and I will yield to the gentleman from Missouri.

The SPEAKER. The gentleman from Iowa yields to the gentleman from Missouri.

Mr. LLOYD. I simply want to ask unanimous consent that I may insert as a part of my remarks the statement of the judge of the judicial district in Alaska, and also the report of the grand jury of that district, which took this matter into consideration and reported the fact that there were vast hordes of animals there that were being destroyed, and that it was necessary that Congress take immediate action in order to protect the game of that district.

The SPEAKER. The gentleman from Missouri asks unanimous consent to include in his remarks the matters just referred to by him. Without objection, this privilege will be granted.

There was no objection.

Mr. LLOYD. The statement of the judge was as follows:

DEPARTMENT OF JUSTICE, UNITED STATES DISTRICT COURT,
FIRST DIVISION, DISTRICT OF ALASKA,
Juneau, Alaska, January 26, 1902.

MY DEAR BRECKONS: The slaughter of game in this country is becoming monstrous. It is said that no less than 15,000 deer hides were shipped out of southeast Alaska during last season. It is altogether probable that the slaughter of deer will be as great this winter. The result is self-evident—that within two or three years the game supply will be wholly exhausted and the natives left without food supply, and in order to live at all they will have to be subsisted by the Government.

The natives slaughter this game, not for food purposes, but to secure the price they obtain for the hides, which is a very trifling sum—some 40 cents on the average. Of course they use such portions of the animal for food as their immediate necessities demand, but it is safe to say that nine-tenths of the deer slaughtered are left upon the ground to rot. I am not personally cognizant of all these matters, but the whole question was before the grand jury a year ago this winter, and after diligent inquiry the grand jury reported upon the matter.

Some law should be passed by Congress at this session that will put an end to this indiscriminate slaughter of game. A game law not as stringent in terms as ours in Wyoming in many respects will answer every purpose here. And the one thing that will stop the indiscriminate slaughter is the prevention of the hides being shipped from the country or sold, and making it an offense against the law, with a severe penalty, for any vessel or other medium of transportation to receive such hides for shipment or to have them in their possession for such purpose, and punishing any transportation or shipment of hides either from the mainland or any of the islands of Alaska. This will tend to save the game, and eventually to save the Indians from starvation. Of course this law should apply to moose, elk, mountain goat, mountain sheep, etc., as well as to deer.

The mountains in this country rise out of the sea, as it were, from the islands as well as on the shore of the mainland, and run up to great heights. When the snow falls in winter the deer are driven down to the shores of the sea for subsistence, and the Indians are said to gather in a bunch of deer as high as 500 in number, and these are driven into the deep snow in some canyon and then the Indians kill them with clubs and wipe out the bunch of deer gathered in that way. It is easy to understand how rapidly they may be extinguished entirely by such methods.

Very sincerely, yours,

M. C. BROWN,
Judge United States District Court,
First Division, District of Alaska.

J. A. BRECKONS, Esq., Washington, D. C.

The grand jury report referred to is as follows:

The grand jury of the United States district court of Alaska, assembled at Juneau, in resolutions adopted by them January 3, 1901, ask for the enactment of a game law for Alaska, and in their resolutions use the following language:

"Whereas it is within the knowledge of the grand jury duly impaneled for the December, 1900, term of the United States district court of Alaska, in and for division No. 1 thereof, and assembled from all parts of said division and being thoroughly conversant with existing conditions, that there has been and is a wanton and willful destruction of game in this district; that it is an acknowledged fact that thousands of deer are killed annually for their hide, which sells for the paltry sum of 40 cents, while their carcasses are left to decompose or be devoured by wild beasts. Congress had sadly neglected to make any provision for the protection of our game, the natural meat supply of the natives and of the miners and prospectors who are hundreds of

miles from the markets of the district, prospecting and developing our great mineral resources: Therefore, be it

"Resolved, That Congress be, and it is hereby, petitioned to insert in the Alaska criminal code the following game law:

"That any person or persons, corporation or corporations, offering for sale in, or any person or persons, corporation or corporations, or common carrier, receiving for exportation from, the district of Alaska the flesh of the deer, moose, caribou, elk, mountain sheep or goat, goose, brant, duck, grouse or ptarmigan, or the hides or horns of the deer, moose, caribou, elk, mountain sheep or goat, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500 or imprisonment in the county jail not more than one year, or both.

"Each and every deputy United States marshal within said district shall be ex officio game warden for their respective districts, and shall receive as compensation for said service one-half of all fines collected by due process of law under this act."

"Unanimously adopted by the grand jury January 3, 1901.

"WM. M. EBNER, Foreman.
"C. D. GARFIELD, Secretary."

Mr. LACEY. I ask to insert with my remarks the report of the committee. The report is exhausted, and this will be better than to have a reprint.

The SPEAKER. The gentleman from Iowa asks unanimous consent to insert in the RECORD the report of the committee upon the bill now before the House. Without objection, this authority will be given.

There was no objection.

The report is as follows:

The Committee on the Territories, to whom was referred the bill (H. R. 11535) for the protection of game in the district of Alaska, and for other purposes, having had said bill under consideration, report the same with the following amendments:

First. Amend the title of the bill by striking out the words "the district of," so that the title of the bill will read as follows: "A bill for the protection of game in Alaska, and for other purposes."

Second. In line 14, page 1, strike out the words "the Territory" and insert in lieu thereof the word "Alaska."

Third. On page 2, line 3, after the word "Eskimo," insert the words "or by miners, explorers, or travelers on a journey when in need of food."

Fourth. On page 2, in line 18, after the word "established," insert the words "or provide different close seasons for different parts of Alaska."

Fifth. On page 3, in line 16, after the word "animals," insert the words "or game birds," and in said line 16 strike out the words "the Territory of," so that the same will read "of any game animals or game birds in Alaska;" also, on page 3, line 17, insert the word "game" before the word "birds;" also, on page 3, in line 20, insert the word "game" before the word "birds."

Sixth. On page 4, in line 1, after the word "shipment," insert the words "or have in possession with intent to ship;" also, on page 4, in lines 1 and 2, strike out the words "the said district" and insert in lieu thereof the word "Alaska;" also, on page 4, in line 2, after the word "deer," insert the words "moose, mountain sheep, or mountain goat," so that that portion of said section will read as follows: "For any other person to receive for shipment, or have in possession with intent to ship out of Alaska, any hides or carcasses of caribou, deer, moose, mountain sheep, or mountain goat;" also, on page 4, line 7, strike out the words "the said district" and insert in lieu thereof the word "Alaska."

Seventh. On page 4, in line 16, after the word "punished," insert the words "for each offense;" also, on page 4, in lines 24 and 25, strike out the words "the Territory of."

And as above amended the committee recommend that the bill do pass.

Some of the salient features of this bill are as follows:

Prohibits wanton destruction of game animals, game birds, nests, and eggs.

Prohibits killing of any game animal or game bird except in specified seasons.

Prohibits the killing of certain of the female game species at any time.

Prohibits the sale or offering for sale at any time of the skins and heads of game animals or birds.

Prohibits the sale of game animals or birds at any time save during the season when it is lawful to kill the same.

Prohibits the shipment out of Alaska of skins or carcasses of game animals or birds.

Provides that miners, campers, or travelers on a journey, in need of food, may at any time kill such game birds or animals as are necessary for food.

Provides that the Indians and Eskimo may at all time kill game animals or birds for their food or clothing.

Provides for punishment for the violation of its provisions by fine or imprisonment, or both.

This bill has for its object the protection and preservation of the game birds and animals of Alaska. When the code for Alaska was enacted two years ago it embraced much of the preexisting laws, and also included many new features. Congress had formerly made the laws of the State of Oregon applicable to Alaska. The game laws of Oregon were therefore in force, and though not entirely adapted to the situation in Alaska, were found very useful. The committee in charge of the revision found the subject of game protection quite complicated owing to the great variety of conditions to be met, and therefore omitted these laws altogether, and left Alaska wholly without any statutory protection for the game within her borders.

As Alaska is the greatest wild-game region now remaining in America, the misfortune of such a condition strongly appeals to Congress for a prompt remedy.

It is hardly possible that the bill should be perfect in all respects or meet all the requirements in Alaska. It must be remembered that to draw a game bill for so large a country is a vastly different and far more difficult matter than to draw such a bill for any single State or Territory of the Union. In any one of the States of the Union (even the largest of them) the scope of territory embraced is comparatively small, and the game conditions in all parts of the State are substantially similar. The drawing of a game bill for Alaska is equivalent to attempting in a single law to cover the New England, Atlantic, and Middle States, or like trying to make a single game bill broad enough in its provisions to cover all the country west of the Mississippi River to the summit of the Rocky Mountains.

Alaska comprises a vast stretch of territory, and in the different parts thereof are widely different seasons and varying conditions. It is manifestly very difficult, therefore, in the provisions of one bill to meet all these difficulties satisfactorily. We have attempted to meet them by vesting a large amount of power and discretion in the Secretary of Agriculture. The latter part of section 2 of the bill provides:

"That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations which shall modify the close season for different parts of Alaska, or place further restrictions and limitations on

the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality."

In any new mining country travelers and miners will kill game in season and out of it for the supply of their immediate wants; and they should be so authorized by law, so as not to be forced to violate the law. The amendment suggested by the committee to meet this necessity is substantially the same as that in force in the Northwest Territory of the Dominion of Canada, and which your committee are informed has operated successfully therein.

In this enlightened day, with the experience of the recent past before us, it needs no argument to show that the wanton and indiscriminate slaughter of game birds and fish should be curbed by law. The desolate woods and barren streams in other parts of the United States serve as a solemn warning as to the fate of these creatures in Alaska unless immediately protected by law.

It was indeed unfortunate that at this critical time, when Alaska is becoming settled, that a period of nearly two years should occur in which there should be no law whatever upon this subject, and the necessity of speedy relief is obvious.

The reports from that country are uniform that Congressional action should not be delayed.

The prohibition of game shipments from Alaska and the suppression of commerce in hides will do more to stop the indiscriminate destruction of animal life than any other enactment that can be devised.

Indians will wholly destroy their food supply for the trifling compensation that they receive for the skins of their victims. The slaughter of deer and other animals for the purpose of shipping the hides should be wholly suppressed.

Judge Melville C. Brown, judge of the United States district court of Alaska for the Juneau division, writes the following letter on this subject:

DEPARTMENT OF JUSTICE, UNITED STATES DISTRICT COURT,
FIRST DIVISION, DISTRICT OF ALASKA,
Juneau, Alaska, January 26, 1902.

MY DEAR BRECKONS: The slaughter of game in this country is becoming monstrous. It is said that no less than 15,000 deer hides were shipped out of southeast Alaska during last season. It is altogether probable that the slaughter of deer will be as great this winter. The result is self-evident; that within two or three years the game supply will be wholly exhausted and the natives left without food supply, and in order to live at all they will have to be subsisted by the Government.

The natives slaughter this game, not for food purposes, but to secure the price they obtain for the hides, which is a very trifling sum—some 40 cents on the average. Of course they use such portions of the animal for food as their immediate necessities demand, but it is safe to say that nine-tenths of the deer slaughtered are left upon the ground to rot. I am not personally cognizant of all these matters, but the whole question was before the grand jury a year ago this winter, and after diligent inquiry the grand jury reported upon the matter.

Some law should be passed by Congress at this session that will put an end to this indiscriminate slaughter of game. A game law, not as stringent in terms as ours in Wyoming in many respects, will answer every purpose here. And the one thing that will stop the indiscriminate slaughter is the prevention of the hides being shipped from the country or sold, and making it an offense against the law, with a severe penalty, for any vessel or other medium of transportation to receive such hides for shipment or to have them in their possession for such purpose, and punishing any transportation or shipment of hides, either from the mainland or any of the islands of Alaska. This will tend to save the game, and eventually to save the Indians from starvation. Of course this law should apply to moose, elk, mountain goat, mountain sheep, etc., as well as to deer.

The mountains in this country rise out of the sea, as it were, from the islands as well as on the shore of the mainland, and run up to great heights. When the snow falls in winter the deer are driven down to the shores of the sea for subsistence, and the Indians are said to gather in a bunch of deer as high as 500 in number, and these are driven into the deep snow in some canyon and then the Indians kill them with clubs and wipe out the bunch of deer gathered in that way. It is easy to understand how rapidly they may be extinguished entirely by such methods.

Very sincerely, yours,

M. C. BROWN,
Judge, United States District Court,
First Division, District of Alaska.

J. A. BRECKONS, Esq., Washington, D. C.

The grand jury of the United States district court of Alaska, assembled at Juneau, in resolutions adopted by them January 3, 1901, ask for the enactment of a game law for Alaska, and in their resolutions use the following language:

"Whereas it is within the knowledge of the grand jury duly impaneled for the December, 1900, term of the United States district court of Alaska, in and for division No. 1 thereof, and assembled from all parts of said division and being thoroughly conversant with existing conditions, that there has been and is a wanton and willful destruction of game in this district; that it is an acknowledged fact that thousands of deer are killed annually for their hide, which sells for the paltry sum of 40 cents, while their carcasses are left to decompose or be devoured by wild beasts. Congress has sadly neglected to make any provision for the protection of our game, the natural meat supply of the natives and of the miners and prospectors who are hundreds of miles from the markets of the district, prospecting and developing our great mineral resources. Therefore, be it

"Resolved, That Congress be, and it is hereby, petitioned to insert in the Alaska criminal code the following game law:

"That any person or persons, corporation or corporations, offering for sale in, or any person or persons, corporation or corporations, or common carrier receiving for exportation from, the district of Alaska the flesh of the deer, moose, caribou, elk, mountain sheep or goat, goose, brant, duck, grouse or ptarmigan, or the hides or horns of the deer, moose, caribou, elk, mountain sheep or goat, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500 or imprisonment in the county jail not more than one year, or both.

"Each and every deputy United States marshal within said district shall be ex officio game warden for their respective districts, and shall receive as compensation for said service one-half of all fines collected by due process of law under this act."

"Unanimously adopted by the grand jury January 3, 1901."

"WM. M. EBNER, Foreman.
"C. D. GARFIELD, Secretary."

The following letter from A. S. Dautrick, of Juneau, Alaska, is self-explanatory, not only of the situation, but also as to the feeling of the people of Alaska regarding this much-desired legislation:

JUNEAU, ALASKA, February 18, 1902.

MY DEAR CUSHMAN: You will remember that at various times we have talked about some sort of a game law for Alaska, and the last time you told me that you would look into the matter. I imagine, however, that a multitude of other things have prevented you. The slaughter of deer in the district is so outrageous that unless some law is passed the last territory for the

sportsman will be played out. I think that you will agree with me that it should have some protection in the way of a game law. Please let me know whether you care to prepare such a bill or if you would prefer to have some one up here do it and forward to you to have it introduced.

Yours, truly,

A. S. DAUTRICK.

HON. FRANCIS W. CUSHMAN, M. C.,
House of Representatives, Washington, D. C.

The following documents from the Department of the Interior, the Attorney-General of the United States, and letter from Mr. Dall De Weese will also throw a great deal of light upon the situation in Alaska:

DEPARTMENT OF THE INTERIOR,
Washington, February 1, 1902.

SIR: I have the honor to transmit herewith a copy of a letter from Mr. Dall De Weese, of Canon City, Colo., received by reference from the President, calling attention to the necessity for legislation looking to the protection of large game in Alaska, together with copy of a letter from the honorable the Attorney-General, to whose attention the matter was directed and at whose instance this communication is written.

Copies of Mr. De Weese's letter were transmitted to the Senate and House Committees on Territories, respectively, on the 15th ultimo.

In this connection attention is directed to the recommendation contained in the Report of the Secretary of the Interior for the fiscal year ended June 30, 1899, a copy of which is herewith transmitted, submitting an amendment to the act of March 3, 1899, "To define and punish crimes in the District of Alaska," looking to the protection of deer in that Territory.

Very respectfully,

E. A. HITCHCOCK, Secretary.

HON. JOHN F. LACEY,
Chairman Committee on Public Lands, House of Representatives.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 21, 1902.

SIR: I have the honor to acknowledge the receipt of your note of January 16, 1902, inclosing a copy of a letter from Dall De Weese, of Canon City, Colo., to the President, dated December 1, 1901, and a copy of the Annual Report of the Secretary of the Interior for the year ending June 30, 1899, all of which has reference to the protection of game in the Territory of Alaska.

I note with approval the suggestion in your report above referred to of an amendment of the criminal code of Alaska with a view to game preservation there, as also the suggestion of Mr. De Weese in the same direction. But I am not sufficiently familiar with the situation in Alaska to be able to express an opinion whether these are just those best suited to the conditions of that Territory, nor as to how far the natives there, who are to some extent dependent upon game for subsistence, should be included in the prohibition, nor whether other kinds of game than those mentioned in either suggestion should not be included.

At the request of Hon. J. F. LACEY, chairman of the House Committee on Public Lands, I recently gave him a statement of my views as to the power of Congress in this matter. And while that referred chiefly to the question of such power as to the public lands within the limits of a State, yet it also referred to the same question in the Territories. Perhaps it would be well to refer the communication of Mr. De Weese with this and a reference to the suggestions in your report to him, as I think he is much interested in the subject. And I suppose that many useful suggestions would be obtained from Governor Brady, of that Territory, not only as to how far the natives should be included in the prohibition, but also as to the kinds of game that should be protected, in what seasons of the year the prohibition should be operative, either as to all or some kinds of game, and whether it should not be operative the year round as to some kinds.

Respectfully,

P. C. KNOX,
Attorney-General.

THE SECRETARY OF THE INTERIOR.

PROTECT ALASKA GAME.

CANON CITY, COLO., December 1, 1901.

THE PRESIDENT:

This is a subject that appeals to every "true-blue sportsman," every lover of animal life, and all those who see beauty in nature, embracing forests, plains, and mountains throughout our entire country, and while the woods, plains, and mountains are naturally beautiful, we all agree that they are much more grand and lifelike when the wild animals and birds are present. There are now several organizations doing work toward the preservation of wild animal and bird life. There is much yet for us to do—resolve is to act; let us be up and at it.

For twenty years of my life I have taken my fall outing, embracing the greater part of North America. I have made trips in recent years to various parts of our mountains, where I hunted eighteen to twenty years ago, and it is appalling to note how rapidly the wild animals are disappearing. While I am but 43 years of age, I have seen in this short period the extermination of our buffalo; at the time of my first trip west there were millions. The antelope at that time were thousands—they are now reduced to dozens, here and there. There were also elk yet upon the plains—now there are none. There were bison in our mountains within 25 miles of the place in which I am writing. I doubt if there are 20 wild bison now in the United States. I have seen thousands of deer in Montana, Idaho, Utah, Mexico, and Colorado, where these numbers are now, comparatively, reduced to one, three, five, and twenties. The "big horn" mountain sheep (*Ovis montana*) that were 200,000 are now reduced with comparative ratio to the rest.

When I was hunting in New Brunswick in 1896 I was told by good authority that these conditions were not quite so bad there, and that the enforcement of their laws was the safeguard there as well as in Maine.

During my four seasons' hunting in Alaska, my observations from past experience foreshadow that without stringent laws and their rigid enforcement the big game of Alaska is doomed to as rapid an extermination as it was upon the plains and mountains of Colorado. I will narrate one instance: When in the Kenai Mountains, Alaska, on the 23d day of August, 1897 (from my diary), Mr. Berg and myself, while sitting together on the mountain side, with the aid of a field glass, counted 500 wild white sheep (*Ovis dalli*), all within a radius of 6 to 8 miles, 10 here, 6 there, then 20 and 30 in another locality. Can a true hunter or a lover of nature imagine a more beautiful sight? Look! here and there were grand old towering mountains, all snow capped, some furrowed with gaping canyons, some separated by a mighty glacier, others with a gradual slope, carpeted with nutritious grass, upon which these beautiful denizens of the snowy mountains of the north loitered about in groups, either feeding or resting.

I was in these same mountains again in 1898, my wife accompanying me there in 1899. I wanted her to see what had at that time never before been a woman's pleasure. I was in these same mountains again this season (1901), and there is no question about the *Ovis dalli* decreasing in numbers; it is perceptible. If mineral should be discovered in these mountains, and with no laws to protect this animal, they would be exterminated in a very short

time. In 1899 when passing through a section where a "so-called sportsman" had been hunting, four carcasses were lying on one small hill, nothing having been touched, the heads of horns being too small and the work of skinning and preserving too great to suit his—I was going to say his "sport"-ship, but will make it his "devil"-ship.

In 1899 myself, wife, and party killed four sheep, two of which were killed by my wife. We could have killed a hundred. This season (1901) we killed but one, as we needed it for meat, also one bull caribou.

The natives are very destructive to sheep. I have seen them in parties of their own shoot sheep, and if it ran off wounded or fell over a low cliff they never went after it; "too much work; shoot more." When in my party I never allow a native to carry a gun. The conditions I have mentioned regarding sheep extermination the same will apply to moose and caribou.

Now, then, dear reader, if all I have said about this transformation of game from plenty to almost extermination is so perceptible in one man's short life, we all can see its finish in the course of a very few years unless we act quick while there is yet time.

Alaska is a new country and a good portion of it is uninhabitable for man, and in this respect it is thus more suitable for game; and there is less excuse for its being slaughtered on account of the country not being desirable for the use of "home seekers." I am sorry to say it, although it is true, that where the climatic conditions are favorable for the advancement of civilization and the "tiller" of the soil, just so sure is the doom of game in that land, remote and inaccessible localities and game preserves that extend to the winter feeding grounds excepted.

It is not necessary that big game be slaughtered to furnish the "meat stuff" in Alaska, for where man can go a pack train can go also; then it is made possible for the wagons, then railroads. Neither is it necessary that game be slaughtered for the native food supply, yet let them kill what they will actually use; and if our Government would thoroughly instruct the missionaries and priests of Alaska to intercede with the natives on behalf of the game, much good could be done. Teach them the wrong in killing the female and the young of any and all animals. I have talked this with natives in my camp and noticed that it was hard for them to conceive it, yet by constant teaching it will have its effect. I believe that some such game laws as I hereafter mention would be effective in Alaska if enforced.

My twenty-seven years of experience in hunting has convinced me that the "market meat hunter" is the most destructive to the big game. Where mining localities are remote from railroads or steamship transportation, "meat stuff" is correspondingly expensive; hence if game abound the "meat hunter" finds a profitable business and he is always on hand.

Make the law and enforce it whereby it is a penal offense coupled with a fine of \$100 for each offense where a party or parties offer for sale or barter the flesh of any game animal or bird at any spot or place in Alaskan territory, the same law to apply to any and every company or individual attempting to ship or transport game flesh of any kind out of the Territory.

Make a nonresident license law requiring every sportsman going to hunt and hunting in Alaska to pay \$50 for that privilege, and that this sum allows him to take out of the Territory only one specimen of each species killed by him. The same law to provide a license fee of \$100, which would give the sportsman or hunter taking out that license the right to kill and transport two specimens of each species of animal killed by him, and that he is not allowed to take out more than this quota. The money thus paid to the district commissioners, who might be the nearest postmaster where the hunting is done, and this money to be used, first, for the prosecution of a person or persons violating this law, and any surplus that might accumulate in one year over \$30, that surplus to go to the native school fund of that district.

Make a law that gives an open season only on game from August 15 to November 1, with a fine of \$100 for its violation. This law should apply to natives also, as well as nonresidents, except where the animal is shot absolutely for immediate food necessity.

Make a law that prohibits sportsmen or other persons from employing natives or other men for killing big game animals or birds, for in doing so most of the meat is wasted and the heads shipped and sold.

Make a law prohibiting the killing of the big brown bear (*Ursus middendorffi*) on Kadiak Island for a period of five years. This would in no way be an injustice to the natives, as this island now contains so few of these animals that hunting them is no longer profitable, and neither do the natives depend on this for support.

Negotiations should be commenced with Great Britain to implore them to pass some such laws that would coincide with ours that would govern that part of the Yukon or British territory (Columbia) that joins Alaska.

I know full well what objections will be made to such laws by "fur traders," hide and head hunters, but it is right that the grand old bull moose and bull caribou or the great old ram "Ovis Dalli" be shot down by the native, paid for so doing by the "so-called sportsmen," and only the head taken from the carcass and that shipped out and sold? I say, is it right that this should be permitted for the gain of a few individuals at the expense of the lives of all the big game of that country, as well as the lovers of nature and the "true-blue sportsmen" not yet born, to all whom we are responsible?

Let us all act now and use our influence to have some measures appertaining hereto properly brought before the coming session of Congress with the earnest appeal for their enactment.

I have talked several times with Hon. J. G. Brady, governor of Alaska, regarding this subject, and he urged me to formulate some practical measure and he would give it his support.

Yours, fraternally,

DALL DE WEESE,
Canon City, Colo.

The following extract is taken from the last annual report of Governor John Brady, of Alaska, to the honorable Secretary of the Interior.

No language could state more clearly or forcibly than the report of the governor, not only that a game law is needed for Alaska, but that said game law should contain the provisions which are contained in this bill.

[Report of Governor Brady, of Alaska, on game.]

GAME LAW.

Congress should enact a game law for this district. The large game, like the moose, caribou, and common deer, need protection. The wanton slaughter of deer has been carried on to a great extent in southeast Alaska by the natives. In the winter and spring, when the snow is heavy upon the mountains and even to the beach, these animals seek the shores of the island. They become weak, and when run into a snowdrift can be killed with a club. A single native has been known to bring in as many as 150 skins of animals which he has killed in this fashion. He makes no attempt to use the meat. All he wants is the skin to sell at the store. This does not bring him very much, for it is a winter skin and therefore not very desirable by the dealer. This all can be corrected by prohibiting the exportation of deer hides from Alaska. The native will have no incentive to kill deer simply for their hides. The hides of those which he kills for himself or to sell he can make use of for his own moccasins and other articles of clothing which he uses.

The SPEAKER. The question is on agreeing to the amendments recommended by the committee.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The amendment to the title recommended by the committee was agreed to.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONTESTED-ELECTION CASE—JAMES A. WALKER AGAINST WILLIAM F. RHEA, OF VIRGINIA.

Mr. WEEKS, from Committee on Elections No. 3, made a privileged report of the contested-election case of James A. Walker against William F. Rhea, of Virginia; which was ordered printed, and referred to the Committee of the Whole House.

CUBAN RECIPROCITY.

Mr. PAYNE. Mr. Speaker, the Committee on Ways and Means had printed 500 copies of the hearing upon reciprocity. These volumes have all been exhausted, and there is a great demand for additional copies. I therefore ask that 1,000 copies be printed.

The SPEAKER. The gentleman from New York, chairman of the Committee on Ways and Means, asks unanimous consent that 1,000 copies of the hearings on the Cuban bill be printed for the use of the House. Does the gentleman from New York indicate to what room it shall go—to the document room or the folding room?

Mr. PAYNE. To the document room.

The SPEAKER. The copies to go to the document room. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12765) to provide for reciprocal trade relations with Cuba.

Mr. TAWNEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAWNEY. Under what rule of the House does the chairman of the Ways and Means Committee call up this bill and move that the House resolve itself into Committee of the Whole House on the state of the Union for its consideration?

Mr. PAYNE. It is a bill affecting the revenue.

Mr. TAWNEY. The title of the bill is "to provide for reciprocal trade relations." I simply want to know whether it is considered as a revenue bill—that is, whether it was called up on that ground or some other ground?

The SPEAKER. The gentleman from New York, chairman of the Committee on Ways and Means, called it up as a privileged report.

Mr. TAWNEY. On what grounds?

The SPEAKER. The bill has not been read to the House and the Chair can not state its provisions. The chairman of the Ways and Means Committee called it up as a privileged report.

Mr. PAYNE. The ground is that it is a bill affecting the revenue.

The SPEAKER. The Chair will call the attention of the gentleman from Minnesota to Rule XI, clause 59, which provides that the Committee on Ways and Means may report at any time on bills raising revenue; and it has been repeatedly held that that included bills affecting the revenue. So that under the decisions under that rule, the Chair is clearly of the opinion that the gentleman has a right to call up the bill.

Mr. TAWNEY. I only wanted to know under what particular rule or under what provision it is called up, and whether or not it is because it is a revenue bill?

Mr. ROBERTSON of Louisiana. Mr. Speaker, I make the point of order that that bill does not come under the provisions of the rule referred to by the Chair, and in making that statement I desire to know where, and at what time, and by whom this question is to be determined. It seems to me, Mr. Speaker, that—

The SPEAKER. What is the understanding of the Chair? Will the gentleman restate his point of order?

Mr. ROBERTSON of Louisiana. The point of order is that the purpose of the bill is not to raise revenue or reduce revenue.

The SPEAKER. The gentleman's point is that it is not a privileged report?

Mr. ROBERTSON of Louisiana. It is not a privileged question and therefore must be brought in by rule or in some other way got into the House, and not in the manner in which the gentleman is attempting to do it. The bill proposes to provide reciprocal trade relations with Cuba. The main purpose of the bill seems to be, from discussions that have been had heretofore, that the bill can not be amended in any way, shape, or form, and under that ruling, it seems to me, the question of reciprocity would be considered the main question; that it is not a bill to raise revenue, which the rule specifically refers to in matters of that kind.

The SPEAKER. The Chair has already decided this question on the point raised by the gentleman from Minnesota.

Mr. ROBERTSON of Louisiana. I did not understand that the gentleman from Minnesota made the point of order.

The SPEAKER. He made a parliamentary inquiry, and upon that the question was decided. The Chair will call the attention of the gentleman from Louisiana to a line of decisions where it has been held again and again that matters affecting the revenue are privileged under Rule XI.

Mr. NEWLANDS. Mr. Speaker, I would like to ask a question. When this bill was under consideration in the Ways and Means Committee, amendments to the general revenue were offered and declared by the chairman not to be germane to the bill. Now, I ask if this bill is privileged—

The SPEAKER. The Chair will state that the House has nothing to do with what occurred in committee. What is the question the gentleman wishes to ask?

Mr. NEWLANDS. I will ask the Chair whether it will be in order to offer an amendment to this bill affecting the revenue?

The SPEAKER. The Chair can not decide questions until they come before the Chair, and this is a matter that will come before the Committee of the Whole House on the state of the Union. The question is on the motion of the gentleman from New York, that the House resolve itself into the Committee of the Whole House on the state of the Union.

Mr. ROBERTSON of Louisiana. One more inquiry, Mr. Speaker, in regard to the time of debate and consideration of this question. I would be glad if the Chair would inform me whether this is the time to consider that matter—whether it should be done in the House.

The SPEAKER. It can only be done now by unanimous consent.

Mr. ROBERTSON of Louisiana. It can be done in Committee of the Whole, can it not?

The SPEAKER. By unanimous consent.

Mr. ROBERTSON of Louisiana. And at what time can it be done?

The SPEAKER. It can be done in the House upon motion, and in Committee of the Whole by consent.

Mr. ROBERTSON of Louisiana. Then, Mr. Speaker, I would like to move—

The SPEAKER. It can not be done by motion until after general debate.

Mr. ROBERTSON of Louisiana. Then, if this is the time to consider the question, I ask unanimous consent that the general debate on this bill continue until Wednesday next, to-morrow week; that at that time the House continue its discussion under the five-minute rule until its consideration is finished, and then that the time be fixed for a vote upon the question.

Mr. PAYNE. Regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded. The question is on the motion that the House resolve itself into Committee of the Whole on the state of the Union.

Mr. ROBERTSON of Louisiana. I asked for unanimous consent—

The SPEAKER. The gentleman from New York [Mr. PAYNE] has demanded the regular order, which cuts off the power of the Chair to submit the request for unanimous consent.

The question was put on the motion to go into Committee of the Whole House on the state of the Union.

The SPEAKER. The yeas appear to have it.

Mr. McCLELLAN. Division.

The House divided; and there were—yeas 107, yeas 102.

Mr. FORDNEY. I call for tellers.

Mr. UNDERWOOD. Let us have the yeas and nays.

The SPEAKER. The question is on ordering the yeas and nays. Those in favor of ordering the yeas and nays will rise. [A pause.] Evidently a sufficient number; and the yeas and nays are ordered.

The question was taken; and there were—yeas 177, nays 80, answered "present" 16, not voting 82; as follows:

YEAS—177.

Acheson,	Burton,	Dovener,	Greene, Mass.
Adams,	Butler, Pa.	Draper,	Grow,
Adamson,	Caldwell,	Driscoll,	Hanbury,
Alexander,	Candler,	Emerson,	Haugen,
Allen, Me.	Cannon,	Evans,	Hay,
Babcock,	Clark,	Finley,	Hedge,
Ball, Del.	Cochran,	Fitzgerald,	Hemenway,
Bartholdt,	Connell,	Fleming,	Henry, Conn.
Bates,	Conner,	Foss,	Henry, Miss.
Bingham,	Cooper, Wis.	Foster, Vt.	Hill,
Boutell,	Cousins,	Fox,	Hitt,
Bowie,	Cromer,	Gardner, N. J.	Howard,
Brantley,	Crowley,	Gibson,	Irwin,
Brick,	Crumpacker,	Gill,	Jack,
Brownlow,	Currier,	Gillet, N. Y.	Johnson,
Bull,	Curtis,	Gillett, Mass.	Jones, Va.
Burk, Pa.	Dalzell,	Goldfogle,	Ketcham,
Burke, S. Dak.	Davidson,	Gooch,	Kluttz,
Burkett,	De Armond,	Graff,	Knapp,
Burleigh,	Dinsmore,	Graham,	Knox,
Burnett,	Douglas,	Green, Pa.	Kyle,

Lacey,	Mondell,	Ray, N. Y.	Stewart, N. Y.
Landis,	Moody, Mass.	Reeder,	Storm,
Lassiter,	Moody, N. C.	Reeves,	Sulloway,
Latimer,	Moody, Oreg.	Reid,	Sulzer,
Lawrence,	Moon,	Rhea, Va.	Swanson,
Lessler,	Morgan,	Richardson, Tenn.	Taylor, Ala.
Lever,	Morrell,	Rixey,	Thayer,
Lewis, Pa.	Moss,	Robb,	Thomas, Iowa
Lindsay,	Mudd,	Roberts,	Tirrell,
Littauer,	Olmsted,	Robinson, Ind.	Tompkins, N. Y.
Little,	Otjen,	Ruppert,	Tongue,
Livingston,	Padgett,	Russell,	Underwood,
Lloyd,	Palmer,	Ryan,	Vandiver,
Long,	Parker,	Salmon,	Vreeland,
Loudenslager,	Patterson, Pa.	Scott,	Wachter,
McCall,	Patterson, Tenn.	Selby,	Wadsworth,
McClellan,	Payne,	Sherman,	Wanger,
McLain,	Pearre,	Sibley,	Watson,
Maddox,	Perkins,	Sims,	Williams, Ill.
Mann,	Pierce,	Small,	Williams, Miss.
Martin,	Pou,	Smith, Iowa.	Wilson.
Mercer,	Powers, Me.	Snodgrass,	
Mickey,	Powers, Mass.	Southwick,	
Miller,	Pugsley,	Sperry,	

NAYS—80.

Allen, Ky.	Davey, La.	Kehoe,	Richardson, Ala.
Aplin,	Davis, Fla.	Kern,	Robertson, La.
Ball, Tex.	Dayton,	Kleberg,	Shafroth,
Bankhead,	Esch,	Littlefield,	Shallenberger
Bartlett,	Feely,	Loud,	Smith, Ill.
Bell,	Fletcher,	McCleary,	Smith, Ky.
Bishop,	Fordney,	McCulloch,	Smith, H. C.
Bowersock,	Gaines, W. Va.	Marshall,	Smith, S. W.
Breazeale,	Gardner, Mich.	Metcalf,	Smith, Wm. Alden
Broussard,	Gilbert,	Meyer, La.	Sparkman,
Brown,	Glenn,	Miers, Ind.	Stark,
Burgess,	Griffith,	Minor,	Stevens, Minn.
Burleson,	Griggs,	Morris,	Sutherland,
Butler, Mo.	Hamilton,	Napen,	Tawney,
Clayton,	Hepburn,	Needham,	Taylor, Ohio
Conry,	Hooker,	Newlands,	Weeks,
Coombs,	Hughes,	Norton,	Wheeler,
Corliss,	Jenkins,	Otey,	White,
Cushman,	Jones, Wash.	Prince,	Woods,
Darragh,	Kahn,	Randell, Tex.	Zenor.

ANSWERED "PRESENT"—16.

Benton,	Cooper, Tex.	McRae,	Rucker,
Boreing,	Hull,	Mahon,	Showalter,
Bromwell,	Jackson, Kans.	Mutcher,	Skiles,
Capron,	Lewis, Ga.	Overstreet,	Tate.

NOT VOTING—82.

Barney,	Edwards,	Kitchin, Wm. W.	Slayden,
Beidler,	Elliot,	Lamb,	Snook,
Bellamy,	Flood,	Lanham,	Southard,
Belmont,	Foerderer,	Lester,	Spight,
Blackburn,	Foster, Ill.	Lovering,	Steele,
Blakeney,	Fowler,	McAndrews,	Stephens, Tex.
Bristow,	Gaines, Tenn.	McDermott,	Stewart, N. J.
Brundidge,	Gordon,	McLachlan,	Talbert,
Calderhead,	Grosvenor,	Mahoney,	Thomas, N. C.
Cassel,	Hall,	Maynard,	Thompson,
Cassingham,	Haskins,	Neville,	Tompkins, Ohio
Cooney,	Heatwole,	Nevin,	Trimble,
Cowherd,	Henry, Tex.	Ransdell, La.	Van Voorhis,
Creamer,	Hildebrandt,	Robinson, Nebr.	Warner,
Cummings,	Holliday,	Rumple,	Warnock,
Dahle,	Hopkins,	Scarborough,	Wiley,
De Graffenreid,	Howell,	Schirm,	Wooten,
Deemer,	Jackson, Md.	Shackleford,	Wright,
Dick,	Jett,	Shattuc,	Young.
Dougherty,	Joy,	Shelden,	
Eddy,	Kitchin, Claude	Sheppard,	

So the motion of Mr. PAYNE to go into Committee of the Whole was adopted.

Mr. DRISCOLL. Mr. Speaker, when the name of the gentleman from New York [Mr. BRISTOW] was called, I, in the confusion, mistook it for my own name and answered "aye." Subsequently, when my own name was called, having discovered my mistake, I voted. I wish now to have the error corrected by which Mr. BRISTOW is recorded as voting. I understand he is not present.

The SPEAKER. Upon the statement of fact just made by the gentleman from New York [Mr. DRISCOLL], it seems clear that the vote of Mr. BRISTOW, as recorded, should be stricken out, as he seems not to have been present, but by mistake his name was answered to by the gentleman from New York [Mr. DRISCOLL]. In the absence of objection, the vote standing in the name of Mr. BRISTOW will be stricken out.

There was no objection.

Mr. COOPER of Texas. Mr. Speaker, as I find I am paired with the gentleman from Indiana [Mr. STEELE], I desire to withdraw my vote, which was cast in the negative, and be recorded "present."

Mr. GREEN of Pennsylvania. Mr. Speaker, at the time I voted I understood that my colleague [Mr. MORRELL], with whom I have been paired, was not here; therefore I answered "present." I understand now that my colleague voted; therefore I desire to have my vote recorded in the affirmative.

The name of Mr. GREEN of Pennsylvania was called, and he voted "aye."

The Clerk announced the following pairs:

For the session:

Mr. YOUNG with Mr. BENTON.

Mr. BROMWELL with Mr. CASSINGHAM.

Mr. BOREING with Mr. TRIMBLE.

Mr. WRIGHT with Mr. HALL.

Mr. DEEMER with Mr. MUTCHLER.

Mr. HEATWOLE with Mr. TATE.

Until further notice:

Mr. MAHON with Mr. RANDELL of Louisiana.

Mr. STEELE with Mr. COOPER of Texas.

Mr. HULL with Mr. WILLIAM W. KITCHIN.

Mr. BARNEY with Mr. MCRAE.

Mr. SHOWALTER with Mr. SLAYDEN.

Mr. EDDY with Mr. SHEPPARD.

Mr. RUMPLE with Mr. THOMPSON of Alabama.

Mr. SKILES with Mr. TALBERT.

Mr. VAN VOORHIS with Mr. GORDON.

Mr. OVERSTREET with Mr. COWHERD.

Mr. CAPRON with Mr. JETT.

Mr. SHELDEN with Mr. SPIGHT.

Mr. SCHIRM with Mr. CLAUDE KITCHIN.

Mr. SHATTUC with Mr. RUCKER.

Until the 18th:

Mr. LOVERING with Mr. LEWIS of Georgia.

Until otherwise agreed:

Mr. GROSVENOR with Mr. SNOOK.

Until Wednesday:

Mr. JOY with Mr. CUMMINGS.

For the day:

Mr. BRISTOW with Mr. McDERMOTT.

Mr. WARNOCK with Mr. LAMB.

Mr. TOMPKINS of Ohio with Mr. CREAMER.

Mr. NEVIN with Mr. GAINES of Tennessee.

Mr. McLACHLAN with Mr. THOMAS of North Carolina.

Mr. HOLLIDAY with Mr. SHACKLEFORD.

Mr. HOWELL with Mr. SCARBOROUGH.

Mr. HILDEBRANDT with Mr. McANDREWS.

Mr. HASKINS with Mr. FOSTER of Illinois.

Mr. FOWLER with Mr. BRUNDIDGE.

Mr. FOERDERER with Mr. GRAFFSON of Nebraska.

Mr. DAHLE with Mr. DE GRAFFENREID.

Mr. DICK with Mr. BELMONT.

Mr. WARNER with Mr. MAHONEY.

Mr. CALDERHEAD with Mr. HENRY of Texas.

Mr. BEIDLER with Mr. MAYNARD.

Mr. BLAKENEY with Mr. NEVILLE.

Mr. CASSEL with Mr. BELLAMY.

For this vote:

Mr. SOUTHARD with Mr. DOUGHERTY.

Mr. BLACKBURN with Mr. STEPHENS of Texas.

Mr. HOPKINS with Mr. LANHAM.

Mr. STEWART of New Jersey with Mr. FLOOD.

Mr. JACKSON of Maryland with Mr. JACKSON of Kansas.

The result of the vote was announced as above recorded.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12755) to provide for reciprocal trade relations with Cuba, with Mr. SHERMAN in the chair.

Mr. PAYNE. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. ROBERTSON of Louisiana. Mr. Chairman, will the gentleman from New York yield for one moment?

Mr. PAYNE. Yes.

Mr. ROBERTSON of Louisiana. I would like to ask the gentleman if there has been any agreement or determination as to the time or order of debate?

Mr. PAYNE. None whatever.

Mr. ROBERTSON of Louisiana. May I ask the gentleman if we could not now agree and come to some conclusion as to the length of time and the manner of the control of the time in the committee?

Mr. PAYNE. I will state that I endeavored to do so yesterday and was unable to do so. I think after we proceed to debate for a while we may make some arrangement, but we can not do it now.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. PAYNE. Certainly.

Mr. TAWNEY. Do I understand that the time is to be divided as usual and to be in the control of the Chair, in the absence of an agreement?

Mr. PAYNE. Certainly.

Mr. TAWNEY. Alternating one with the other?

Mr. PAYNE. The Chair will control that.

Mr. ROBERTSON of Louisiana. I understand that, but is it not unusual to proceed with a matter of this importance without some sort of determination as to the disposition of the time?

Mr. PAYNE. I will again say to the gentleman that I spent some time yesterday trying to make an arrangement. I was unable to make an arrangement with the various elements opposed to the bill, and I do not think it can be done at this moment.

Mr. SHAFROTH. Mr. Chairman, I ask unanimous consent that the time be controlled by the gentleman from New York—

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Colorado?

Mr. PAYNE. I will yield for that.

Mr. SHAFROTH. I ask unanimous consent, Mr. Chairman, that the time be controlled by the gentleman from New York in favor of this bill and against the bill by the gentleman from Louisiana [Mr. ROBERTSON].

Mr. PIERCE and others objected.

The CHAIRMAN. Objection is made. The committee will please be in order, and the gentleman from New York is recognized.

Mr. PAYNE. Mr. Chairman, our relations with the island of Cuba are peculiar. As we all know, they grow out of the Spanish war, a war for which I for one was by no means responsible, and which I opposed to the last moment, and only yielded to what seemed to be the almost unanimous sentiment of the House; but that war is over, and it has left us with these peculiar conditions. We undertook when we engaged in that war, and we have professed on every occasion since, that our main object was to give a stable, independent, and free government to Cuba. During the years that elapsed since Spain evacuated Cuba and surrendered the possession and sovereignty of those islands it has been the endeavor of the Administration, as it has been the constant endeavor of the Congress of the United States, to arrange a free and independent government for Cuba. To that end has been every line of legislation that we have passed upon the subject; to that end were the Platt amendments, which were passed, and which have been incorporated as a part of the constitution of Cuba.

Cuba has had an election; Cuba is about to have her officers inaugurated, and on the 20th of next month the United States is to retire from Cuba with the army that has occupied it, surrendering the civil and military government that we have had there into the hands of the officers chosen by the full and free vote of the people of the island of Cuba. We have spent millions of money and sacrificed thousands of lives to bring about this condition of affairs. We have done as much for Cuba as any nation ever did for those of alien blood. Still, in sight of the world, we are pledged to see to it that Cuba starts out with the best of auspices under the government which she has formed.

I do not say, Mr. Chairman, that we have not up to this present moment done our full duty and more to Cuba. I do not present here any sentimental claims on the part of Cuba for the action of the Congress of the United States. We are in the position of a guardian who has settled with his ward, paid over every dollar of the principal and the interest, and yet every guardian, be he a right-minded man, is interested when that ward goes out into the world to use every endeavor that he consistently can to make the career of that ward successful. And in this experiment, in establishing a new government for Cuba, it is the duty of the United States to do what we can to make the experiment successful.

When the war was over, after years of civil strife, the planters in Cuba had become involved in debt. When Spain left the island they saw their plantations devastated. Fire and sword had swept over the island. Many of the sugarhouses had been destroyed, many plantations had grown wild with weeds, and the production of sugar had dwindled down to some 200,000 tons per annum. The people went to work and tried to recuperate and to restore the old order of things so far as their commercial and industrial prosperity was concerned. They had to borrow money to build new sugarhouses; they had to borrow money to plant new sugar cane; they had to borrow money to care for those crops and bring them on to maturity.

They went to work with a will, and they need not be ashamed of the record they have made in the last three years—300,000 tons of sugar the first year after the war, about 600,000 tons the second year, and nearly 900,000 tons this year, the product of their work, their endeavors, and their struggles. They have done well in doing this, and yet they have not been able to lift the load of indebtedness that they had to incur to bring about this result.

And now, just as we are about to launch them forth in self-government, just as they are about to try this experiment, a new calamity comes to Cuba. It is one that is common to the people of the world. We consume in round numbers 10,000,000 tons of

sugar in the world, and through bounties in European countries and the stimulation and increase of sugar in those countries and in our own we find that there are 11,000,000 tons and over produced this year, a surplus of 1,000,000 tons of sugar.

The consequence is, the supply being so greatly in excess of the demand, the price of sugar has been forced down to a point lower than it has been in years; to a point about a cent lower a pound than it has averaged for the past few years. When it comes to Cuba, the price is down below the point where they can produce sugar at cost, let alone producing it at a profit. According to the evidence before the committee it costs 2 cents a pound to produce sugar in Cuba. I know there were two or three gentlemen who testified that they went there three years ago and examined among the planters and found out that they were producing sugar at from a cent and a half to a cent and three-quarters a pound, and yet it was uncontradicted in the evidence before the committee that wages in Cuba had increased in the last few years from 50 to 75 per cent, and as the cost of sugar is principally the cost of wages, it follows that the cost of producing sugar has increased in the last three years; and this only corroborates the statement of the gentlemen engaged in the production of sugar in the island when they say it can not be produced at less than 2 cents a pound.

On the 1st of January last the price of sugar in Cuba, free on board at Habana—and, by the way, this cost is free on board at Habana—was 1.5 cents per pound. Hence at that rate there was a loss of a half cent a pound on every pound of sugar produced in Cuba. This was what was staring them in the face when the appeal was made by General Wood in December last for aid for Cuba in this emergency. To be sure the price of sugar has somewhat advanced since that time, and it reached a point as high as \$1.81 per hundred free on board in Cuba. That is the highest point it has reached since the 1st of January, fluctuating to a little below that point and back to \$1.81. That meant a net loss of nineteen one-hundredths of a cent per pound on every pound of sugar of the present crop.

These planters in Cuba are obliged to go to the bankers and to the merchants for money and supplies to raise and harvest their crops. There are 196 centrals in the island of Cuba, great grinding establishments where the cane is brought from their plantations and from the smaller plantations called the colonos, and there ground up and boiled into sugar and shipped to the ports for the market. These 196 centrals are surrounded by hundreds of the colonos, nearly 16,000 of them in the island of Cuba, little planters having 5, 10, or 20 acres, who raise their sugar, carry the cane to the railroad or to the central, where it is finally accumulated and, as I say, ground and boiled into sugar. The usual arrangement between the colono and the central is that the colono produces the cane and receives for it half the sugar which the cane produces. To raise this cane costs about 50 per cent of the entire cost of producing the sugar free on board in Habana; so that it is a fair divide for the colono to have half the sugar his cane produces. They commence grinding the crop about the 1st of December, and the grinding season continues until about the 1st of May. They are still grinding cane in Cuba at this time, although they have ground the greater portion of the crop.

Now, the planters, large and small, are forced, in view of what occurred during the war, to borrow the money to care for the crop and to harvest it. This is the almost universal rule. The planter finds that he has invested a larger per cent of money in labor upon the crop than the crop of sugar he is raising will pay. Labor is employed in Cuba; labor is employed to-day, and at fair wages. They are building a railroad there that takes the surplus of labor. It is not a question of what has been done up to the present time for the laborers, although it may be a question as to how much these sugar planters are in debt to their laborers. Having to borrow money for the crop, and not having sufficient value in the crop to pledge for the money they borrow, the question is as to the future of those laborers. When the grinding is done, then comes the planting season. Fortunately in Cuba that is not so great an expense as it is in some other places, like Louisiana, for a planting there will last from five to ten and sometimes fifteen years without replanting, so that not more than 10 per cent, perhaps, of the whole area has to be replanted every year on an average.

The next thing in order is to keep down the weeds which grow with such terrific prolificness in the island of Cuba. They go through the plantations four or five times cutting down the weeds, and after that is done and the cane is high enough it shades the ground and prevents the growth of the weeds, and then they have no further labor until harvest; but so great is the labor in caring for the crop that it is worth one-half of the value of the sugar. And now, when this labor is just about to commence, the farmers and planters and colonos are anxiously looking forward to see where they can get the money to plant and care for the next year's crop. If they are obliged to sell the sugar at less than 2 cents a pound, they can not pay their debts, and where will they get their money for the next year's crop? As a writer

said, who has been through the island of Cuba at a recent date, the 20th of March:

While the masses of Cuba are not actually suffering from lack of food, the planters and business men are on the verge of collapse and bankruptcy, and are anxiously hoping for concessions in the United States tariff in order that they may receive new life and hope. The merchants have large sums of money trusted out and are not paying each other. They are simply holding each other up in the hope of obtaining relief, and if failures once begin they will run like wildfire.

Mr. TAWNEY. Will the gentleman state who the author of that is?

Mr. PAYNE. I can not state now; I will tell the gentleman afterwards.

Mr. TAWNEY. I wanted to know if it was Mr. Pepper, who has been writing articles to the Star, of this city.

Mr. HAMILTON. Was it in the hearings before the committee?

Mr. PAYNE. It was in a letter written by a man, whose name I have not at present, to a member of the House. I would give the gentleman the name, but I have not it with me. I included the statement in my report.

Now, Mr. Chairman, I would not add to the distress of Cuba. I know that some gentlemen are anxious to have Cuba annexed at once. I am not one of those gentlemen. The time will come when Cuba will be annexed to the United States, and when it does come I believe I shall have to do as I had to do in the Cuban war, bow to the inevitable, and Cuba will be annexed. You want it annexed at once—some of you do. The interest in the United States who are opposing this bill want it annexed at once, and free trade in every item of commerce that comes from Cuba to the United States. We have been professing that it was our endeavor and our solemn duty to give Cuba a chance for a free and independent government; and now, when we are about to establish a government, with ruin staring Cuba in the face, shall we sit idly by, supinely by, and do nothing to try to help Cuba in its effort for a government.

Mr. Chairman, I confess for one when I entered into this subject, and since I entered into it down to the present moment, I have looked to another question. That question was whether we could aid Cuba without injuring any industry of our own. I have had that steadily in view. Mr. Chairman, I have been a protectionist since I learned protection at my father's knee and read while a youth in Horace Greeley's Tribune his articles on protection. I studied protection at the committee table by the side of William McKinley and Nelson Dingley, when we together framed the McKinley bill; I studied protection in 1897, sitting at the right of Nelson Dingley, when we framed the Dingley bill, and if there is any principle of political economy that I have ever studied and learned to believe in, it is the principle of protection to American industries. I have seen the wonderful growth of this country under the protection of American industries. I would be the last man to strike down an American industry, fostered and prospering under the protection given it by the Republican party.

Mr. FORDNEY. And you are the first at this time to strike that very thing.

Mr. PAYNE. If the gentleman will ask me a question in an orderly manner, I will listen to him.

Mr. FORDNEY. I beg your pardon. I asked you if you were not the very first now to advocate striking at that very thing?

Mr. PAYNE. Not by any means, sir. I am standing by protection, and you are taking a course that would strike down the industry that you are assuming to protect. [Loud applause on the Republican side.] Why, gentlemen seem to think that there is something so sacred in every line of the Dingley bill that you can not alter a word in it without becoming a free trader.

Mr. BARTLETT. Mr. Chairman—

Mr. PAYNE. I think I will not be interrupted. There are several gentlemen who want to interrupt me, but I do not know how much time I will take. After I get through, if the House wants to ask questions and will listen to me, I will submit myself to cross-examination. [Laughter.] I had something to do, Mr. Chairman, with framing the sugar schedule in the Dingley bill, both in committee and in conference. That sugar schedule as presented to the House did not present exactly the same appearance that it presents now since it has become a law. It was altered in the Senate and changed in the committee of conference. As the bill left the House it provided a duty of 1.63 on 96° sugar, and as it appears to-day it presents a duty of 1.68½. That is not the whole story.

One object in framing the schedule was to produce revenue. Sugar is a good revenue producer. It strikes everybody that uses sugar, and it is a prolific producer. We knew we had got up past the limit of protection of the beet-sugar industry when we framed that schedule. When it left the House there was not a beet-sugar man in the United States that objected to the protection that was given in that schedule, and yet what was it? One and sixty-three hundredths subject to contingency. Why, the Republican

party started out on the idea of reciprocity in 1890, and section 3 was ingrafted into the McKinley bill providing for reciprocal trade relations; and when the committee and Chairman Dingley were making the sugar schedule of the Dingley bill we had a section 3 that provided that the President might make reciprocal trade relations with other nations, and when he did and proclaimed them a good deal after the manner as stated in this present bill, then that certain duties should be decreased, and one of the duties to be decreased was the duty on sugar, a reduction of 8 per cent, bringing the duty of \$1.63 down to \$1.50, providing reciprocal trade relations were made.

Now, every man in the House understood section 3 and understood the sugar duty. Every beet-sugar man in the United States understood section 3 and understood the duty of 1.63.

Mr. WM. ALDEN SMITH. There were mighty few of them then compared with the present time.

Mr. PAYNE. We will come to that later. Mr. Oxnard was one of them. Mr. Oxnard was here and he knew what was in the bill, and he did not protest, and no one protested, because they knew that the protection was ample, and more than ample, and that we made it high only to get revenue as well as protection out of that item. You voted for it.

Mr. WM. ALDEN SMITH. Yes; I voted for it.

Mr. PAYNE. You gentlemen all voted for it. It was a good Republican doctrine then, it was protection doctrine, it was Dingley protection, it was McKinley protection, and I stand for the same kind of protection here to-day.

Mr. WM. ALDEN SMITH. Mr. Chairman—

The CHAIRMAN (Mr. CAPRON). Does the gentleman from New York yield to the gentleman from Michigan?

Mr. PAYNE. I can not yield now.

Mr. WM. ALDEN SMITH. I would like to ask a question right there.

Mr. PAYNE. I shall have to decline. I do not know how much time I may get.

Mr. WM. ALDEN SMITH. There will be no disposition on our part to check it.

Mr. PAYNE. I decline to yield at present. Mr. Chairman, what does this bill propose to do? The tariff on sugar at 96 is 1.68½, and the bill proposes to take off 20 per cent. When we take off 20 per cent, it leaves 1.35—15 points less than the Dingley bill under reciprocal trade relations, fifteen one-hundredths of a cent less than that of the Dingley bill.

Now, they did not complain about the Dingley bill; they had no dread about that. They did not complain, because they knew it was more than sufficient protection. They had had experience under the Wilson bill; even with the 40 per cent ad valorem duty protection the first year under the Wilson bill the beet-sugar production in the United States was 20,000 tons, and the second year it was 30,000 tons, and the third year it was 40,000 tons. They knew something about protection. Of course, the price of sugar was higher, but the equivalent specific duty was not as high as we propose to leave it to-day on this sugar. Under that bill and under the workings of the ad valorem they doubled their production in three years.

Who says it is going to injure any American industry? Why, sir, they said, "You may reduce the duty 20 or 25 or 30 per cent, and it will not make any difference in the price of sugar in the United States until you have fostered the industry in Cuba to the point where the Cuban sugar growers will be able to produce all the sugar we import—2,000,000 tons or more annually—and then, of course, the importation will reduce the price in the United States; and not until then." How are they going to increase the importation next year under this bill to 2,000,000 tons? The labor in Cuba is all employed; they can not get labor enough to produce anything like 2,000,000 tons. It takes all their labor to produce the present crop—900,000 tons.

But the suggestion has been made "if you make this reduction of 20 per cent the sugar growers in Cuba will bring over Asiatic labor, and so increase the production of sugar by a resort to this lower rate of wages." But, gentlemen, we have guarded you on that point. We have been looking out for the protection of American industry all the time. And so we have incorporated in the bill as a condition precedent that the Cubans must pass and enforce contract-labor, exclusion, and immigration laws as exclusive as those of the United States. So that they can not introduce any Asiatic labor, and can not in that way increase the production of sugar. It can be increased in only a very small degree—so small as not to reduce the price of sugar in the United States. But what they may do in that direction can not take off a scintilla of protection which the sugar people now have.

Now, as to tobacco. No one pretends to claim that tobacco will not be amply protected, even if the 20 per cent should go off. So we say we are injuring no American industry if we make this 20 per cent reduction.

Will this aid the Cubans? It means thirty-four hundredths of

a cent per pound on their sugar, added to \$1.81 making a net price of \$2.15, beyond the cost of production, and fifteen hundredths of a cent profit for this year. If sugar should return to the normal price next year and advance a cent a pound, there would be a profit of 1.15 cents on their sugar. Will this help them?

We are told that the sugar trust is going to get the advantage of all that we take off of sugar. When those who make this claim are asked why, they say, "Because they will; because the sugar trust is the only customer for this sugar." Well, this is disputed. There is no doubt that the Arbuckles are running independently of the sugar trust and are buying raw sugar to meet them in the market. As to whether the National is doing the same thing depends upon the word of Mr. Post, who appeared before the committee, and to whose evidence there was very little contradiction.

But, gentlemen, let us go back a little way. How has it been about fixing the price of sugar by the sugar trust or anybody else in the United States in years that are past? The sugar market of the world is in Hamburg. The price of sugar is fixed in Hamburg for the port of New York. When sugar comes from Hamburg to New York the price is adjusted on the cost of transportation and the cost of our duty. Add these to the price of sugar in Hamburg and you have the price of duty-paid sugar in New York. Then the price of sugar coming from the Hawaiian Islands, or from Porto Rico, or from Cuba, or any other place in the world, is fixed according to that standard. Deduct from the price of the duty-paid sugar in New York the duty and the cost of transportation and you have the price of sugar in Habana Harbor.

Gentlemen, we have had experience in respect to this matter. We need not abandon ourselves to speculation or attempted prophecy. We have had experience along this line. We have had Hawaiian sugar free for years; and though the committee hunted diligently for the facts they could not find any proof to show that the Hawaiians had not received the full price for their sugar, duty free, coming into the port of New York, although the sugar trust during a portion of these years was omnipotent and had no rival refiners of any kind in the United States.

Mr. PIERCE. Will the gentleman allow me a simple question?

Mr. PAYNE. I would rather not.

Mr. PIERCE. I simply wanted to ask who pays the duty under the gentleman's statement—the foreigner or the American consumer?

Mr. PAYNE. On sugar? That is a very easy question, my friend. I think the American consumer pays it.

Mr. PIERCE. That is what you have been denying all the time. You have been insisting that the foreigner paid it.

Mr. PAYNE. Every protectionist knows that when we put a tariff duty on an article not produced here in sufficient quantity to satisfy our markets, so as to create competition among ourselves, the duty is added to the price.

Mr. WM. ALDEN SMITH. If the volume is large enough.

Mr. PAYNE. If the volume is large enough to affect the price here in the United States by way of competition. Yet that is not always true. We put a duty of 10 cents a pound upon tea. We did not produce any tea; still, it was proved conclusively that the Japanese paid half of that duty in order to get into our market.

How much of that comes out of the foreigner on sugar, of course, I do not know; but my own opinion is that in the case of sugar the most, if not all, is paid by the consumer in the United States.

Now, to get back to what I was talking about. We made a reduction of 85 per cent in the tariff on sugar produced in Porto Rico. Some of us were afraid that we would have trouble, that the sugar trust would get the benefit of that reduction or a part of it. We passed the bill, and we have now a record of results. What does the record show? Why, sir, the people in Porto Rico are getting the benefit of that reduction. When their sugar comes into the New York market it sells there at the market price of sugar—the world's market price—deducting only the cost of transportation from Porto Rico to New York.

Some gentlemen have raised a quibble as between the price of Porto Rican sugar and Cuban sugar and German sugar, but when examination was made it appeared conclusively that the only difference in price arose from the difference in grades of sugar, one sugar being graded higher than another according to the productions of the different countries.

So in the past the planter has got the benefit of the reduction we have made on the sugar tariff. I would rather go to history than prophecy for facts, especially when the prophet is a zealous man bent on having his own way about a particular proposition. Why, Mr. Chairman, we made this reduction so light that the Cuban planter has got to have it in order to get out even and have a few dollars to spare. We did not put a reduction of 50 per cent on, or 100 per cent, because we did not wish to injure anybody in the first place, and we knew when we made it only 20 per

cent the planter would have a right to demand and receive the full benefit.

Now, such was the testimony before the committee, Mr. Chairman, and still I see that some of these numerous gentlemen, each one of whom publishes a pamphlet and distributes it around to the members for their information on this subject, refers to the testimony of Colonel Bliss, at page 392, and furnishes what Colonel Bliss says at that point, which I will read:

Mr. NEWLANDS. If that entire duty were taken off the Cuban sugar it would sell in our markets just as the Louisiana sugar and beet sugar does, would it not? Would there not be an increase?

Colonel BLISS. I am not an expert on that question and I do not like to answer. It appears to me that the question relates to the price that the Cuban producer would get, and I do not know what proportion of increase would go to him; I believe not more than 30 per cent.

Well, now, Colonel Bliss recurs to that question again at page 395, and I will read it:

Mr. METCALF. Colonel, coming back to an answer given by you a short time ago, if Congress remits the present duty on sugar, will it not tend to continue the large estates?

Colonel BLISS. So far as the question relates to sugar alone, undoubtedly it will. I want to qualify that statement, however. The tendency in Cuba now is, and has been ever since I have been there (how long before that I do not know), to increase largely the number of the colonos, the men with a few acres of land who grow cane, or the men who have land which they devote to other purposes, with here and there a patch of it which grows cane to advantage.

The tendency is more and more toward the establishment of centrals, buying cane at the best price they can get it from the small planter. I think the first effect of any reciprocity that would affect Cuba at all is going to be shown in the improved condition of the colono and the laborer. So soon as the mill owner finds that it is more profitable to make sugar he will immediately reach out and bid for this man's cane and that man's cane, in competition with other mill owners doing the same thing; and they will bid it up to the limit, beyond which they can not go without losing whatever profit the concession gives them.

In the same way, as there is certainly no waste labor in Cuba at this time, and probably will not be for the next season of cultivation, the colono will reach out and bid for this man's labor and that man's labor in order to make as much cane as he can. In short, the mill owner will compete for the cane in order to make all the sugar that he can, and the colono will compete for labor in order to grow all the cane that he can.

I think, and most of the Cubans to whom I have talked agree with me, that if you were to give 50 per cent off, or 33 per cent, or whatever you give, probably not more than 30 per cent at the very most would go to the planter, and the rest of it, whatever did not stay in the United States, would go to the laborer and the colono, the man who cultivates small fields of cane.

Now, that is the opinion of Colonel Bliss, based on his observation in Cuba as to the division that would be made between the planter and the colono in Cuba. He did not know what would be retained in the United States. He was not a prophet. He had not studied the history of what had been done with Porto Rico and Hawaii. He says, "I am not an expert on this subject and I do not like to express an opinion;" and the gentlemen are welcome to what they get out of Colonel Bliss's statement in view of the whole, the unanimous evidence of every other witness upon this subject.

So I say, gentlemen, I have no fear that this money will go to the sugar trust in case we make this reduction. Why, Mr. Chairman, who holds the sugar now? Who holds it to-day, or yesterday, because I have returns up to the 7th day of April? In March I made a request of the Department to find out from Governor Wood where the crop was. One paper, claiming to be respectable, had published a telegram from another paper, generally known as one of the "yellow journal" stripe, saying that the sugar trust had bought up the entire crop in Cuba. It was immediately denied, but I wanted to get at the facts, and Governor Wood sent out letters of inquiry to every planter in Cuba—194 of them, sugar centrals—and he received up to the 2d day of April 126 answers. He also telegraphed to 36 Cuban banking firms, and he has received replies from the 36. He found that up to that date there had been ground 584,259 tons of sugar. He found that there were held at the option of the American Sugar Refining Company 3,285 tons; held at the option of other American purchasers, 2,285 tons; exported to the United States, 25,646 tons. He says:

All sugar above mentioned, except that at the option of the American Sugar Refining Company and other American purchasers, is in the hands of Cuban planters and Cuban and Spanish commission houses doing business in the island of Cuba, and is not at the option of anyone. Where held as security for loans advanced to planters, the planters will get the advantage of any rise in the price under conditions of deposit, as is the custom in the island. This statement shows conclusively the absolute falsity of the declaration that the sugar trust has control of a considerable portion of Cuban sugar. I expect other statements will be sent as soon as possible.

That is signed by Governor Wood.

Mr. SHAFROTH. Will the gentleman yield for a question? Will the gentleman not concede that by the time this bill passes the Senate, if it takes the usual course—

Mr. PAYNE. I will come to that a little later. Do not ask such questions as will lead me off the subject I am discussing. You know one man can make a speech better than half a dozen, even though the half dozen are sharper than the one.

Mr. SHAFROTH. But the question is, in whose hands it would be at the time of the passage of the bill.

Mr. PAYNE. We will get to that by and by.

Now, Mr. Chairman, I have an additional statement, bringing it down to the 7th of April, the reports from 10 more centrals. In this statement it appears that 24,755 tons have been ground in these establishments. General Wood says:

The increase above mentioned is in the hands of planters and Cuban and Spanish commission houses doing business in the island, with the exception of 3,388 long tons exported to the United States; none at option of the American Sugar Refining Company nor other American purchasers. When held as security for loans, planters to get advantage of rise in price, as stated in telegram of 2d instant.

Now, Mr. Chairman, that shows that up to the present date about 30,000 tons of sugar have been shipped to the United States. Last year at the corresponding date there had been shipped 200,000 tons to the United States. The total production of sugar last year sent to the United States was 490,800 tons, so that more than two-fifths of it had been shipped to the United States up to the corresponding date last year, and this year only 30,000 tons. What is the reason of that? Why, simply because these men are looking to Congress for a reduction of the duty, and like men everywhere, seeing a dollar in sight, they are doing their best to be in a position to get hold of it when the time comes.

Now, I am asked, Mr. Chairman, if, when this bill goes through the Senate, that will still be the situation. Now is the time for them to have sent two-fifths of their crop, or 350,000 tons. They have actually sent 30,000 tons. They have held on until now because everybody interested in that sugar is concerned in holding on to it until the last moment. The men who loaned the money are interested in holding on to it. They want these sugar people to go on and have their crop next year. They know they will come to them to borrow money. They want to keep them in condition so they can raise a crop next year. Every interest in the island is concerned in holding on to that sugar.

Now, gentlemen want to know when the Senate will pass this bill. I give it up. I do not know when the Senate will pass this bill. We will get it through the House as soon as we can. If we do not have too many roll calls on the question of going into the Committee of the Whole and delays of that kind, and if we can get along without too much debate, we will get it over to the Senate in ample time. I understand it is the disposition there to take it up at once. There is no reason why it should not be a law before the 20th day of May, when this Cuban government goes into operation. Having held on to all but 30,000 tons of it until now, it does not require a prophet or the son of a prophet to foresee that they will still hold on to that sugar until the time comes that this reciprocal agreement shall go into effect.

Mr. WM. ALDEN SMITH. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. PAYNE. Yes.

Mr. WM. ALDEN SMITH. I desire to ask whether when you make the statement that all the parties interested in Cuban sugar are holding it awaiting the action of Congress you also include their principal customer in this country, the sugar trust?

Mr. PAYNE. Why, Mr. Chairman, I have not any doubt but what the sugar trust is guided by business men as eminent in their profession and business as my friend who interrupts me with this question. I have not any doubt as to their grasping propensities. I shall not institute any comparison with my friend on that point, because that would be impolite and odious.

Mr. WM. ALDEN SMITH. I have examined—

Mr. PAYNE. Oh, I have examined their testimony, too.

Mr. WM. ALDEN SMITH. I have examined their annual report just filed.

Mr. PAYNE. Well, I have examined their annual report. I think I know as much about the sugar trust as the gentleman does.

Mr. WM. ALDEN SMITH. I hope you know a great deal more.

Mr. PAYNE. I think I have fought them as long as the gentleman has, and I shall continue to fight them as long as I am able to fight. I want the gentleman to understand that. But when I see a chance to confer a great benefit without injuring anybody, I am not going to be driven from giving the share on 850,000 tons to the people in Cuba because I fear the sugar trust may get some of it on the 30,000 tons that have come to the United States. I am not such a fool in fighting trusts as to come to any such proposition as that.

Mr. WM. ALDEN SMITH. I do not believe the gentleman would aid the sugar trust intentionally, but their last annual report, if you will permit me to say, discloses strange facts—

Mr. PAYNE. No; I will not permit you to say anything of that kind in my time now.

Mr. WM. ALDEN SMITH. Will you let me finish that sentence?

Mr. PAYNE. I do not care what their annual report does. I know what it is.

Mr. WM. ALDEN SMITH. Perhaps the House wants to know.

Mr. PAYNE. Oh, in your own time you may state all that Mr. Havemeyer has ever said, or talk about something else that is not relevant to this question. You may discuss that as much as you please. I propose to discuss the question before the House.

Mr. WM. ALDEN SMITH. You are avoiding that clearly.

Mr. PAYNE. That question is not here.

Mr. WM. ALDEN SMITH. It ought to be here.

Mr. PAYNE. Well, there is a difference of opinion, and I am making the speech.

The CHAIRMAN. The gentleman from New York refuses to yield.

Mr. PAYNE. Now, Mr. Chairman, how much will this cost the Treasury of the United States. Last year, ending June 30, 1901, we collected \$27,000,000 in duty on goods coming from Cuba, \$18,000,000 on sugar and \$9,000,000 on other products, largely tobacco. This year on the present crop the full duty would be about \$41,000,000. We take off 20 per cent, that would make \$8,200,000 of loss of revenue, and that loss of revenue goes to the people of the island of Cuba, to the people we have been trying to set up in government, a people whom we are trying now to save from certain bankruptcy.

Mr. LITTLEFIELD. You say it is \$8,000,000 on sugar alone?

Mr. PAYNE. The total is \$8,000,000.

Mr. LITTLEFIELD. On sugar \$8,000,000?

Mr. PAYNE. About \$7,000,000 on sugar. The rest was on tobacco and other products; but all coming from the island of Cuba.

Mr. LITTLEFIELD. The whole reduction aggregating about \$8,000,000?

Mr. PAYNE. Yes. The calculation was made on the estimated crop, and this report of General Woods confirms the estimate, but in my judgment it looks more like 900,000 tons instead of an 850,000-ton crop. Of course we may be getting the large-sized centrals, so many have reported and others have not.

Now, Mr. Chairman, I want to show to those gentlemen how much the Republican party have been engaged in changing the sugar schedule. In 1861 we made it 5 cents; in 1862, 4 cents; in 1864, 5 cents; in 1870, 4 cents; in 1874, 5 cents; in 1883, 2½ cents and 3½ on refined, and in 1890 one-half cent on refined and a bounty of 2 cents on raw sugar, so that we have not always regarded it as sacred.

Mr. WM. ALDEN SMITH. We did not have any beet-sugar industry then.

Mr. PAYNE. Oh, we had a beet-sugar industry away back in the eighties, and we had cane sugar after the war was over.

Mr. WM. ALDEN SMITH. Oh, I know that.

Mr. PAYNE. I only wanted to call it to mind. Of course you know it.

So, Mr. Chairman, the committee found a way to help Cuba, injuring no American industry and strictly in the line of Republican doctrine and the Republican platform. We have been preaching reciprocity since 1890. We put the same in the platform of 1896, and we put in these other things written there. Now, I am not so hidebound upon the subject of platforms as some of my friends. I know how they are made. They are written in one night, on the judgment of a half dozen men.

Legislation like the Dingley bill is written out after three, four, or five months of hard labor by men who have investigated every phase of the subject, and when they get through with it they are experts on the subject. That is the difference between a platform and a bill. What is of more significance to me is that the Ways and Means Committee should report a bill here for a reduction almost like the one we are making, to hold out not only to Cuba, but to every country, reducing the whole tariff on sugar to reciprocal countries, that would give us all the sugar that we could consume. It is more to me that a committee, on mature judgment, should put such a clause in the bill, when it is a Republican House, by Republicans, than that some man should put it in a platform. But reciprocity is in the platform.

Reciprocity is a Republican argument, and this is reciprocity on a basis that hurts no American industry. What do some of these gentlemen propose? We do not make reduction enough to suit them. They want a reduction of the duty on refined sugar in the interest of the beet-sugar industry. The beet-sugar product at the factory is refined sugar, and every pound of refined sugar that comes into the United States at a lower rate of duty goes into direct competition with beet sugar in the United States. They want that. We propose reciprocity, on the one hand, without lowering the price of sugar in the United States. They are not satisfied with that. They want to include in the bill a lower rate of duty on refined sugar from all countries on the earth and reduced prices of sugar as much as you lower the duties. That is the answer that is made to this bill.

Mr. Chairman, the bill is limited to the present sugar crop.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent that the gentleman may continue and conclude his remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from New York may continue and conclude his remarks. Is there objection?

Mr. BALL of Texas. I do not intend to object, but I hope that the gentleman who is at the head of this great committee will answer a question or two before he concludes.

Mr. PAYNE. If my time is to be extended, and if I can get through one sentence without interruption, I shall have no objection.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTLETT. Will the gentleman, before he proceeds, permit me an interruption upon the line upon which he has just concluded?

Mr. PAYNE. Yes.

Mr. BARTLETT. The matter I am interested in more than anything else is what effect this bill will have upon the price of sugar to the American consumer.

Mr. PAYNE. The universal testimony before the committee was that it would not reduce the price unless it was continued for such a length of time as to enable Cuba to supply the principal part of the imported sugar.

Mr. BARTLETT. This bill contains a provision that the reduction under it shall cease in December, 1903, and, as I understand the gentleman, that would not reduce the price of sugar to the consumer?

Mr. PAYNE. I think it would not. There is a production in the United States and in the islands of about 900,000 tons and in Cuba of about 900,000 tons, making 1,800,000 tons altogether; and the probable consumption of sugar in the United States will be during the next year 2,500,000 tons, so there will be about 700,000 tons that must be imported under full duties.

Mr. BARTLETT. May I ask the gentleman another question? Referring to the sugar trust, is it not a fact that the evidence before the Ways and Means Committee showed that the American Sugar Refining Company bought and refined and sold 90 per cent of the sugar that is used in this country?

Mr. PAYNE. That was not the evidence before the committee, but it was in evidence that Mr. Havemeyer had claimed before the Industrial Commission that that was the fact. This fact was disputed by Mr. Post before the committee.

Mr. BARTLETT. At the hearings before the Industrial Commission it is stated that Mr. Havemeyer said that his company refined and sold 90 per cent of the sugar.

Mr. PAYNE. I want to say to the gentleman that this is the precise fact: He was examined several years ago before a committee of the New York legislature, and he testified that he distributed and refined 90 per cent of all the sugar. Before the Industrial Commission he was asked that question and admitted that he had said so, but said he did not know how much they did refine, but he thought about 90 per cent now. Mr. Post, who is the president of the National Refinery, said that Mr. Havemeyer did not refine more than five-eighths of it. I leave it to those two gentlemen to determine which was right.

Mr. RANDELL of Texas. Will the gentleman permit an interruption?

Mr. PAYNE. Certainly.

Mr. RANDELL of Texas. The gentleman says that the price of sugar will not be reduced to the consumer. I would like to ask, for information, how much the revenue will be reduced?

Mr. PAYNE. On sugar?

Mr. RANDELL of Texas. How much will be the reduction of the revenue by the reduction in this bill?

Mr. PAYNE. Between six and seven million dollars on sugar.

Mr. RANDELL of Texas. Who gets the benefit of that reduction?

Mr. PAYNE. I have been trying to demonstrate that the people in Cuba get it. [Laughter.]

Mr. RANDELL of Texas. Another question on that line. If there is no competition in this country in reference to the purchase of raw sugar, how does the Cuban hope to get the increase of this price? Why can not the purchaser put it in his pocket?

Mr. PAYNE. The same conditions exist now that existed in reference to Hawaii and Porto Rico, except there is more competition now than there was in relation to Hawaii, as there was none then. There is competition by the Arbuckles and the National. Mr. Post claims that he is a competitor, but that is disputed; whether he is a competitor or not I do not know.

Now, if the gentleman will pay attention he will not have to ask the question again. In these cases the planters did get the full amount of it, and I believe they will in this. The sugar trust has got to have the sugar as much as the planter has got to sell it. If they do not buy it of them they must go to Germany, and if they go to Germany they must pay more for it, or they must take this sugar. Each one is independent of the other.

Now, Mr. Chairman, I was speaking about taking the differential

off from the refined sugar. Yesterday I received a telegram, as follows:

BINGHAMTON, April 7.

Use all honorable means to oppose tariff reduction on refined sugar.

J. E. ROGERS,

President Beet Sugar Company.

There is a man that understands his business, and he is not afraid to say so. I know there are others that have said the same thing, and I know why they have not made more fuss about it. I know the influences that have been at work upon them and the petitions and appeals that have been made to them.

Mr. Chairman, Cubans do not come to us in the attitude of beggars or mendicants. They do not come to us asking concessions without offering concessions in return. They are willing to give us their market and to buy their supplies of us in exchange for this reciprocity. Last year they bought some \$28,000,000 worth of us.

About thirty-eight millions were purchased from foreign countries. It is believed by General Wood, by Colonel Bliss, and other Americans there, and it is believed by leading Cuban merchants, that with a fair reciprocal agreement we can get the first year thirty millions of that balance which we do not get to-day. General Wood believes that their importations will speedily rise from sixty-seven millions to one hundred millions; and that if the thing could run on they could soon buy of us \$200,000,000 worth of goods—a chance for our farmers, for our merchants, for our manufacturers, for our mechanics, because the Cubans are willing to accept these little concessions which do not hurt us, and give us in exchange their trade. They are willing to impose these restrictions on immigration because they see that it is best for them and their country to do so. They are willing to make these reciprocal trade relations because they believe it will be to the mutual advantage of both countries.

Mr. WM. ALDEN SMITH. Whom is the gentleman quoting on this subject?

Mr. PAYNE. Oh, I am quoting a number of people; I can not name them all.

Mr. WM. ALDEN SMITH. You are not quoting the officers of the Government there, are you?

Mr. PAYNE. No, sir.

Mr. BALL of Texas. Is there anyone authorized to speak for the Cubans now?

Mr. PAYNE. I do not think there is.

Mr. BALL of Texas. The gentleman said that the Cubans are offering these things. He has pictured the distress in Cuba in case they refuse to accept this differential rate. Now, I ask, if they should make a tariff and decline to give the steel trust and the beef trust (saying nothing about the trusts in other articles) the benefit of that tariff, then the people there could not get the benefit of "reciprocal trade," and their country would become bankrupt, would it not?

Mr. PAYNE. I do not exactly understand the gentleman's question. Of course, if they do not accept the reciprocity which we offer them they will not get it.

Mr. BALL of Texas. I understood the gentleman to say that this measure was being passed in order to prevent bankruptcy in Cuba.

Mr. PAYNE. I say that if they do not accept it they will have to go their course. We are doing the best we can for them.

Mr. BALL of Texas. Then if they will not let the steel trust and the beef trust in they will have to starve?

Mr. PAYNE. I suppose the gentleman is satisfied now, and will sit down.

Mr. BALL of Texas. The gentleman seems to be satisfied, as head of the Ways and Means Committee, to decline to answer questions that gentlemen are entitled to ask.

Mr. PAYNE. I did answer the gentleman's question. I am sorry I could not address the understanding of the gentleman so that he could understand the answer. I answered the question as I understood it. If I did not understand it, I am the loser.

Now, Mr. Chairman, we have limited the operations of this bill, as I said half an hour ago, to the present crop and the next crop. One of the reasons for this limitation is the action of the recent conference at Brussels. That matter involves the question of the bounty to beet sugar. I shall not go extensively into the bounty question. Gentlemen all understand it—a high tariff and a high price for consumption in Germany, exportation under a direct bounty, and then a concealed or indirect bounty through the cartel system. England has complained of this because it has destroyed her refineries. Finally, a conference of the several governments interested was held at Brussels, and it was agreed that after the 1st day of September, 1903, all bounties on beet sugar should cease. This agreement will have to be ratified by the several governments before it will become binding upon them.

In view of the action of this conference we have limited the operation of this bill to the 1st day of December, 1903, giving an

opportunity to get all of the next year's crop, which is finally ground about the 1st of May, to market under the limitations and provisions of this bill. Whether that provision was a wise one or not, I am not here to say, but the reason for it will be found in that Brussels conference, and I sincerely hope that the agreement reached in that conference may be ratified, because I think it will make a difference in the price of Cuban sugar, as well as other sugar, in the hands of the producer, thus doing away with this government bounty.

As to whether the next year's crop will be sold at the normal price it is difficult to say. That being the last year of the bounty, the producers of beet sugar may be stimulated to get in as large a crop as possible while the bounty is in operation. But for that agreement I have no doubt that sugar would have returned to its normal price in the next year and would have increased nearly a cent a pound over the price of to-day.

Mr. SAMUEL W. SMITH. What per cent of the Cuban planters are among the poor people you speak of who need this 20 per cent help?

Mr. PAYNE. Well, there are 196 centrals, and there are between 16,000 and 17,000 planters, so it would seem that nearly all of them were the small planters. But it is not for the small planters alone; it is for the laborer. Cut off the supply, cut off the money to pay the laborer, and you create discontent, and down there in that hot climate among those people who are passionate always how easy it is to kindle a fire of insurrection and insubordination to overthrow the government set up and to compel us to intervene for good order in Cuba.

Gentlemen, it is a thing that I do not wish to contemplate. I want to do all I can, and I have labored to do what I could to bring relief to the situation in Cuba and relief to these Cubans in this hour of their greatest trial in setting up a government, in this hour of their greatest emergency; and it is a broader question than the question of reciprocity and the question of trade.

We have become so linked to the Cuban people that our destiny can not well be separated from theirs. We have taken Porto Rico; we have given them a good government; we brought prosperity to that island such as was never dreamed of before in all its history. It is a near neighbor of Cuba. The Cubans are looking upon our experiment there. The most intelligent of them are looking toward annexation with the United States. They may come in a year; they may come in five years. When they come I pray God they will be in no worse condition than they are to-day. If we can keep out this horde of immigrants, if we can keep out this cheap labor from the East, if we can keep out undesirable labor as we are keeping it out in our own country, and enable them to build up their industries, diversified industries in that island, finding their principal market in the United States, it is a consummation devoutly to be wished.

Mr. LLOYD. Mr. Chairman, I would like to ask the gentleman a question. The gentleman spoke a moment ago of the conditions in Porto Rico being so favorable now that they were more prosperous than ever in the history of the past. I want to know why it would not be well to treat Cuba as you treat them and give them a free-trade relation?

Mr. PAYNE. Well, the gentleman does not seem to know that Porto Rico belongs to us and Cuba does not. That is the only reason.

Mr. LLOYD. I appreciate the fact that Porto Rico is now a part of us, and I see very clearly that the disposition here is not to treat Cuba as if it ought to be a part of us.

Mr. PAYNE. Well, that is a question for the gentleman, of course. Cuba is not a part of us. I am not anxious that she should be a part of us, but I think without question she will be; and, preparing for that day, I want to do the best I can for Cuba, with due regard for our own people.

Why, Mr. Chairman, we hear a great deal about the cost of the sugar beet and the cost of producing beet sugar. I was talking only a few days ago with one of the most intelligent producers of sugar beets in the United States. I said to him: "From what I know of the industry, from what I know of your being able to take care in the near future of the by-products, which ought to bring you three-quarters of a cent a pound on every pound of sugar you produce, I expect you to produce sugar in the United States, granulated sugar ready for the market, at 2 cents a pound."

He replied: "Well, Mr. PAYNE, you are a little more sanguine than I am, but if you had said 2½ cents a pound I would say you were clearly within bounds."

Now, Mr. Chairman, my idea was to give rest and quiet to the beet-sugar industry. It is threatened by what? By the results of the Spanish war—by the threatened annexation of Cuba. It threatens free sugar from Cuba, and if any country on earth can compete with American beet sugar, it is Cuba. It is threatening to come upon you at once. I seek to put it off. I seek to put the question to sleep and at rest for a few years, and with this 20 per cent reduction let the beet-sugar industry march on to its final

triumph. But instead, you say "No, let the agitation go on; put it off till next December; send a commission down there and let the agitation go on." And it is agitation that is threatening your industry. Is it not much better to have the 20 per cent reduction and have it understood, as it would be, that that is the only reduction to Cuba until Cuba comes in? Then the sugar industry would go on in rapid strides, as it has in the last two or three years.

Mr. HENRY C. SMITH. Will the gentleman permit a question?

Mr. PAYNE. Oh, yes.

Mr. HENRY C. SMITH. Was there any disturbance of the beet-sugar interest until this agitation was proposed?

Mr. PAYNE. Oh, certainly; it has been disturbed ever since we had the war with Spain. Why, how they hollered when we proposed to put 15 per cent on Porto Rico instead of the full Dingley rate. The beet-sugar men were frightened to death for fear of their industry, and yet that country only produced 120,000 tons of sugar in a year. Frightened! Yes, ever since the Spanish war closed and those countries were annexed to the United States. I would save your beet-sugar industry. I am a better friend of it than you are, because I dare to say to them as I say to you, and as they admit, that this 20 per cent reduction does not hurt their industry. By that reduction I would save them from the danger of a larger reduction and full free trade with Cuba.

Mr. HENRY C. SMITH. How many more such friends does the gentleman think the beet-sugar industry could endure? [Laughter.]

Mr. PAYNE. Oh, well, the gentleman is new here. I have fought for the beet-sugar industry before I ever heard of the gentleman or knew anything about him.

Mr. HENRY C. SMITH. I will survive if the gentleman does not think of me at all.

Mr. PAYNE. The gentleman woke up about the time that a beet-sugar factory was established in his district, or in an adjoining district, and then he thought everything revolved around beet sugar. I have a beet-sugar factory in my own district. Every ton of beets used in that factory is raised in my district. There is a factory in the adjoining district, where one of the counties in my district sends the beets that it raises. It is a question with my constituents about beet sugar. I know how they feel about it. They are on their second year. Their sugar cost them $4\frac{1}{2}$ cents a pound, and that is all they got for it the second year. They are hopeful. They know what the people have done in Michigan on the third year. They are looking for 6 and 12 per cent dividends, and they know about this 20 per cent reduction, and they accept that, because they do not want the full free trade that you are trying to force on them.

Mr. GARDNER of Michigan. May I ask the gentleman a question?

Mr. PAYNE. Yes; certainly.

Mr. GARDNER of Michigan. You stated a few moments ago that your arguments were in line with Republican doctrine and Republican precedent, if I remember rightly. I should like to ask if it has been the practice of the Republican party in this House to reduce the revenue on competing goods when an industry was seeking to establish itself?

Mr. PAYNE. Well, I will refer the gentleman to the Dingley bill as it passed the House, and let him read it through.

Mr. GARDNER of Michigan. Oh, no; I have not time to read that now.

Mr. PAYNE. Well, it was so provided in the Dingley bill. If the gentleman had been here he would have voted for it as every other Republican did.

Mr. GARDNER of Michigan. Did you seek to reduce the duty on tin plate, on steel, on hides, on leather, on wool, on any of the things where we were competing to establish a successful industry?

Mr. PAYNE. If the gentleman will study the Dingley bill he will find that we did reduce the duty on a great many of the items he has mentioned and on a great many others that he did not mention.

Mr. GARDNER of Michigan. But we have had tariff bills before the Dingley bill.

Mr. PAYNE. The gentleman does not seem to appreciate the situation. We are not reducing the duty on sugar 20 per cent to all the world, and thereby reducing the price and starting up competition. We are reducing it on what we receive from Cuba, which your friends say will not reduce the price, and hence will not start competition.

Mr. GARDNER of Michigan. That is not the point I have in mind.

Mr. PAYNE. Well, that is the point I have in mind. [Laughter.]

Mr. GARDNER of Michigan. The gentleman will see my point later.

Mr. WM. ALDEN SMITH. Will the gentleman indulge me another question?

Mr. PAYNE. Oh, yes; but I must wind this thing up.

Mr. WM. ALDEN SMITH. I have known the gentleman longer than my colleague from Michigan [Mr. HENRY C. SMITH]. I was here and helped to pass the Dingley law. I was here when the gentleman helped to frame it. I ask the gentleman from New York if he did not say at that time on this floor that if we would build a beet-sugar factory in every Congressional district of the United States you would not disturb the tariff for a quarter of a century?

Mr. PAYNE. I did not.

Mr. WM. ALDEN SMITH. I quote you, sir.

Mr. PAYNE. Let me take what you have got there, and I will show you what I did say, unless this is also a garbled extract.

Mr. WM. ALDEN SMITH. All right. I heard you make the statement and I have my own recollection about it, as well as the official record.

Mr. PAYNE. Where do you get it from?

Mr. WM. ALDEN SMITH. I get it from the report of your speech in the CONGRESSIONAL RECORD.

Mr. PAYNE. I am not ashamed of this speech.

Mr. WM. ALDEN SMITH. Neither am I; let us hear it.

Mr. PAYNE. I stand by every word of it. It was delivered before the Spanish war:

What shall be done with the sugar trust? Well, I will tell you what, in my opinion, is the best way of dealing with it. Establish a beet-sugar factory in every Congressional district in the United States. [Applause on the Republican side.] Give competition, and lots of it, everywhere. Put the farmers over against the trust by passing this bill, and reduce the price of sugar so that German raw sugar can not be brought in to be refined here. Gentlemen on the other side, come over and help us, while we help the farmers out. [Laughter and applause.]

You Grangers over there, come and help us. You Populists that go up and down the streets day after day proclaiming your devotion to the interests of the farmers, help us out now when we are trying to help the farmers in this industry that we can establish so successfully. In this way you will do something toward demolishing the trust. You will accomplish more in this way than by mere invective—by running windmills and all that. [Laughter and applause.]

Then I go into the next paragraph. I do not say that you will—

Mr. WM. ALDEN SMITH. I leave it to the House what you said.

Mr. PAYNE. "Why should we not produce all of our sugar?"

Mr. WM. ALDEN SMITH. On his word Michigan men put \$10,000,000 into this industry.

Mr. PAYNE (continuing):

Why should we not produce all of our sugar in this country? Why, it costs us, Mr. Speaker, about one hundred millions. We were looking around for proper subjects for taxation. We knew that sugar would produce an enormous revenue; and besides all that, we knew that an adequate protective tariff would build up the industry in this country, and as it was gradually built up the revenue from that source will be reduced; by and by the revenue will come in more largely from other sources—

Mr. WM. ALDEN SMITH. All right.

Mr. PAYNE. Any beet-sugar factory in that?

Mr. WM. ALDEN SMITH. Go right along.

Mr. PAYNE. Oh, I know what is here—

and when this industry is fully established and revenue from sugar ceases, the reduction will keep pace with the increase. The thing will regulate itself; we will not disturb our tariff in the next quarter of a century.

Mr. WM. ALDEN SMITH. How about that?

Mr. PAYNE. We have not disturbed it.

Mr. WM. ALDEN SMITH. We took you at your word.

Mr. PAYNE. Hold on. I decline to have the gentleman shake his fist at me while I am making a speech.

Mr. WM. ALDEN SMITH. I beg your pardon. We took you at your word and our citizens put \$10,000,000 into the beet-sugar industry in Michigan.

Mr. PAYNE. Mr. Chairman, I decline to have the gentleman make a speech. Now, that remark referred to the reduction of the revenue and the replenishing of it from other sources. That is what that remark referred to, that we would have no change in the tariff in that respect for twenty-five years, and the prediction is justified, because the revenue has not only come in and taken care of the country, but it has gone far to pay the expenses of our Spanish war; and the prediction justifies itself.

But I did not think then that gentlemen would be howling—I beg pardon, talking—up and down this Hall, bloodthirsty for war with Spain, or that something would blow up the Maine and force war upon the people of this country. I did not think that we would have Porto Rico and the Philippines and Cuba upon our hands in any degree within the space of five years when I made that speech. I stand by every word of it.

Mr. WM. ALDEN SMITH. So do we.

Mr. PAYNE. And still, in the light of current events, protect the beet-sugar industry. I was for protecting it then, as I am to-day. I bring in this bill, Mr. Chairman, making a reduction of about 20 per cent, leaving that industry fully protected. Let

us pass it and stop this agitation to remove the whole duty by the annexation of Cuba to the United States.

Gentlemen, this question is before us. We ought to meet it as patriots. We ought to meet it with due regard to our own constituents, but in such a way that we may appeal to them, as I do to mine, as reasonable men. We ought to do it to aid Cuba at the present time. We ought to do it to bring prosperity and insure peace to the government we are establishing.

We are held in the eyes of the nations of the earth to use our utmost endeavor to give good government to Cuba; and finally, when she comes in by annexation, let us have Cuba without Asiatic hordes forcing themselves in with her; let us have Cuba prospered with diversified industries; let us have a Cuba that will not misrepresent what our Government has done for them; let us have a Cuba that stands for cleanliness, that stands for health, stands for good order, and stands for the very life, honor, and glory of the people of the United States. [Loud applause on the Republican side.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MAHON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4284. An act to amend an act entitled "An act for the relief of and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889;

S. 5046. An act for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia;

S. 1556. An act to provide for the purchase of a site and the erection of a public building thereon at Sterling, in the State of Illinois;

S. 642. An act to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands;" and

S. 150. An act for the establishment of an assay office at Provo City, Utah.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 4071) granting an increase of pension to George C. Tillman, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. DEBOE, and Mr. CARMACK as the conferees on the part of the Senate.

RECIPROCITY WITH CUBA.

The committee resumed its session.

Mr. NEWLANDS. Mr. Chairman, I am opposed to any concessions to Cuba unless they are accompanied by a cordial invitation to Cuba to become a part of the United States; first, as a Territory under the Constitution and laws of the country, including the tariff laws, and later as a sovereign State of the Union. I am against the pending measure, first, because, according to the statement of the gentleman from New York, it inaugurates a policy of reciprocity, that reciprocity which has been termed the handmaiden of protection. I am opposed to this bill because it does not reduce the price of sugar to the domestic consumer. I am opposed to it because it is an extension of the imperialistic legislation inaugurated by the Republican party, for it seeks to add to the restraints already imposed by the Platt amendment upon the autonomy of Cuba or the independence of Cuba. Our own laws relating to immigration and contract labor, which, while good in themselves, are entirely unjustified when applied by pressure by this country to a so-called independent power.

I believe that we should take ground now against this measure, because it is a continuation of the imperialistic legislation, and the opportunity is now offered us of presenting to the American people a policy of the extension of the republic as opposed to an extension of the empire. For there can be no question but that the deliberate purpose of the Republican party, as expressed in the Platt amendment and expressed in the restraints upon the independence of Cuba imposed by this country, is, when Cuba, induced by her desire to secure access without restriction to the markets of this country, applies for annexation to accept her, but to reduce her to the abject position of a colony or military dependency.

Now the question is, What position shall the members of this side of the House assume to this bill? I insist that it violates every principle which should be pursued and maintained by the party to which we belong. In the first place it inaugurates a policy of reciprocity. What does that mean? Does it mean a tariff for revenue? Does it mean reduction to our consumers? Does it mean the withdrawal of protection from the trusts, which now manufacture and sell in a protected market at a high price and outside of our boundary sell at a low price? Oh, no! Reciprocity is an extension of the protective system by enlarging its

area, and no better illustration or exemplification of it can be secured than this bill.

This bill does not make a reduction in the price of sugar to the American consumers. It discriminates against the agricultural interests and promotes the manufacturing interests—these manufacturing interests now largely dominated and controlled by the trusts. It threatens by alarm and fear the sugar production in this country. It promotes the production of the trusts. We thus trade off one interest, the interest less protected, for another interest, the interest most protected. We extend the area of their protection, practically extend our protective laws to Cuba, so far as the trust products are concerned.

Now, I insist upon it that reciprocity is no part of the Democratic doctrine. It is absolutely inconsistent with tariff reform and tariff revision. It does not mean reduction in the price to domestic consumers; it does mean discrimination against one domestic interest and the promotion of other domestic interests, and that will always be the case. Therefore, such a policy is likely to produce and increase envy, jealousy, and distrust within the Republic, and is always likely to secure international enmity outside of the Republic.

How does it operate outside? We seek a single nation and endeavor to make a reciprocal arrangement with her by which certain of her products will come into this country with a less duty. The result is that such a country is favored in the introduction of her products to this country. And how will the less-favored nations regard such favoritism? They will look upon it with envy, suspicion, distrust, and upon us with enmity. They will immediately seek to secure a position where they can negotiate successfully with us. And how will they get the vantage ground except by raising a tariff wall against our products, and thus making it to our advantage or interest to treat with them?

To-day Germany is raising higher and higher her tariff walls against our products in retaliation for the high duties of the Dingley Act and with a view to restraining our exports to that country. The very first country with which it would be for our interest to make a reciprocal arrangement would be Germany, because she has placed the most restraints upon our trade. So, to make a reciprocal arrangement with her, we should have to allow her products to come into this country at a less rate than those of other countries. I ask in what position England, at present imposing no duties on our products, would then be placed? Why, she would be forced to retaliate by raising a tariff wall against our products and entering upon a protective policy. She would then be in a position where she could insist that in consideration of certain concessions made by us in our tariff she would make similar concessions to us.

I insist that the effect of reciprocity will be not only to create ill feeling and distrust, suspicion and a sense of favoritism at home, but it will either drive the nations of the world into the protective system, drive them into raising their tariff walls against our products, or it will secure their enmity as the result of favoritism to some States as against other States.

Now, a great many of my Democratic friends are deceived by the suggestion of reciprocity. They think it means larger trade, freer trade, and they say if they can not get tariff reduction as to the products of all nations, they are inclined to make an arrangement that secures it from each nation singly. I deny it; it enlarges the protective system; it practically extends our protective system to other countries. Our policy should be the revision of the tariff, the reduction of the tariff, now universally unequal, and particularly to reform legislation regarding the trusts which, within the field of their monopoly in this country, charge such exorbitant prices and outside in the field of competition abroad much more moderate prices.

Now, this bill purports to be a reciprocal arrangement, a reciprocal treaty. The agricultural productions of Cuba are to come in with a 20 per cent reduction, and all her products are agricultural. Our manufacturing products are to go in there with reduced duty, so that you can see that it is to the advantage of one interest and the disadvantage to another in this country, and to the disadvantage of that interest which thus far has received the least of the protection of our fiscal policy.

There is another reason why reciprocity is false in principle, and that is it subjects our fiscal system to the changing sentiment and caprice of our treaty-making power.

All our fiscal arrangements should be clear, certain, and stable. Our taxes should not be varied from time to time according to the judgment of the treaty-making power. They should remain certain, the same to all the peoples of the world and to all like products throughout the world; they should not be varied from year to year by the treaty-making power, thus varying our revenue itself, making that a matter of uncertainty and our governmental operations a matter of uncertainty or diminishing our revenue from customs, and thus forcing from time to time reprisals upon the people of this country through our internal

revenue system in order to maintain the revenue essential for the operations of the Government.

The motto of this country should be "one boundary for the Republic, including its possessions, free trade within that boundary, and absolutely impartial trade with all the nations of the world outside of it." That is the only kind of a policy that will promote friendliness at home and will prevent enmity and suspicion and distrust abroad.

Now, this bill is open to another objection, and that is that it is practically an extension of the imperialistic policy inaugurated by the Republican party. We all remember the resolutions by which we promised Cuba her independence. By those resolutions, properly and justly construed, we could have meant but one thing—the independence of sovereignty, the autonomy of sovereignty, the unrestricted power of Cuba to govern itself. How did we restrain that power in the Platt amendment? Why, in the first place we declared that we would turn Cuba over to a government of her own people upon certain conditions. One of those conditions was that she should turn over to us her military posts and her naval stations, that being demanded for the avowed but hypocritical purpose of protecting the independence of Cuba. The right of an independent country is to protect her own independence; and Cuba sacrificed her own autonomy when she surrendered control of those military and naval stations.

We also restrained her debt-contracting power. Now, the right of an independent nation is to contract whatever debts she pleases, and not to submit to another nation the control of her judgment as to the wisdom of such debt making. We also imposed limitations upon her sanitation, practically throwing the sanitary conditions of the island under the control of the United States.

Now, we have gone that far in our imperialistic policy regarding Cuba—almost relegating her to the position of a military dependency. In this bill we go farther, and we impose upon her our immigration laws and our contract-labor laws. Those immigration laws are good laws and those contract-labor laws are good laws. We have all participated in their enactment. But what I protest is that this country, an independent government, has no right to impose upon Cuba, an independent government, our own laws, laws which may ultimately restrain and control the line of growth which she may desire to pursue.

Mr. ROBINSON of Indiana. I should like to ask the gentleman from Nevada whether he thinks the sugar industry of Cuba could be carried on successfully and profitably by American labor?

Mr. NEWLANDS. I think so.

Mr. ROBINSON of Indiana. Does the gentleman think that the rice, tobacco, and sugar industries of the Hawaiian Islands could be carried on with American labor?

Mr. NEWLANDS. I do.

Mr. ROBINSON of Indiana. That is not done now in Hawaii. The gentleman from Nevada was closely connected with the annexation of those islands, the resolution for their annexation that passed having been presented by him. I hope, therefore, that before he gets through he will be able to tell us about the possibility of American labor carrying on the industries of Cuba.

Mr. NEWLANDS. Let me state that the climate of both Cuba and Hawaii is temperate. Col. Tasker Bliss, the military collector of the port of Habana, who has lived in Cuba for three years, says that the climate of Cuba is unsurpassed; that it is warmer in winter and cooler in summer than any part of the United States. And that makes the very perfection of climate.

Now, as to the ability of our people to work there. It is in evidence that men from America have gone down there and established market gardens and are working in them themselves. Colonel Bliss states that it is a climate in which the American race will not degenerate. So, too, with the Hawaiian Islands. It is true that the labor conditions of Hawaii are unfortunate, because before annexation Hawaii had reached out for her labor to the countries nearest to her—had reached out to China and Japan. Because those people were employed there we assumed that they were the only people that could be employed there. But such is not the fact. On the contrary, the climate is admirably adapted to the white man. It is a temperate climate. After annexation our immigration laws and contract-labor laws were, of course, applied to her, and as these restricted the Mongolian supply of labor the price of labor went up, and the Cuban planters have been clamoring for the modification of the Chinese-exclusion act, but as that will not be modified they will gradually seek for white labor, and they will secure it among the Porto Ricans, the Italians, and the Portuguese.

The conditions of the laborer in Hawaii are improving every day. The wealth of the landowner is diminishing every day just as the condition of the laboring man advances, and that is what I claim would be the result of annexation of Cuba by this country. With the application of our immigration and contract-labor laws we will restrict her labor markets, and that increase of production will draw simply upon a fixed population there or upon

our labor population, and every additional acre put under cultivation will create an additional demand for that labor and will increase its value. The very best evidence of it is that the Cuban production of sugar has increased within the past three years from 300,000 tons to 850,000 tons. They have been increasing their production notwithstanding the low price of sugar.

While you speak of the distress of Cuba, it is not an existing distress; it is anticipated distress. During the past year the price of labor in Cuba has gone up 50 per cent, and the evidence was that the wages of the laborers employed upon the sugar plantations of Cuba equaled, if it did not surpass, the average wages paid to the farm laborers of this country during the past year. The very effect of the increase will be to increase the production of Cuba and to increase the demand upon their labor, and that increase of demand under and upon a restricted labor market will increase the value of every unit of that labor in the day's wage.

Mr. ROBINSON of Indiana. The gentleman has admitted there is a similarity between Cuba and the Hawaiian Islands, but he seems to lose sight of the fact that the commission we sent to the Hawaiian Islands said in their report in 1898 that white labor could not successfully be employed there in their judgment. He overlooks that colonies of Americans who have been sent to Hawaii, as is said by the plantation owners, are unable to successfully compete. He seems to lose sight of the fact that in the Philippine Islands a like condition prevails, and in Hawaii and the Philippine Islands the chambers of commerce and the people who are exploiting the islands say they can not work them with white and American labor. Now, would not the same conditions prevail in Cuba?

Mr. NEWLANDS. I have nothing to say regarding the Philippine Islands. My hope and expectation is they will be lopped off and will no longer be a part of us.

Mr. ROBINSON of Indiana. Omitting that, then, does not the gentleman know that the same condition will prevail in Cuba unless these immigration laws are extended at this time?

Mr. NEWLANDS. I am not objecting to immigration and contract-labor law. I am objecting to the imposition of them by one sovereignty upon another.

Mr. ROBINSON of Indiana. In that I agree with the gentleman.

Mr. NEWLANDS. I am opposed to the bill because it is right in the line of imperialism. I believe that the application of our immigration and contract-labor laws to Cuba, when annexed, will be entirely legitimate. She will then be a part of the Union, and we will then be legislating for our own people, and she will be subject to our equal laws; but what I object to in this bill is that we are legislating for another people, a people whom we have declared independent.

Mr. ROBINSON of Indiana. And when she is annexed the gentleman will find the same conditions as prevail in Hawaii to-day.

Mr. NEWLANDS. Ah, not at all.

Mr. HOOKER. Will the gentleman permit a question?

Mr. NEWLANDS. Certainly.

Mr. HOOKER. I want to know and I have often thought why it was that after the result of the Spanish war, in which we spent so much money and lost so many soldiers, we should take hold of Cuba, and our Government should take hold of the archipelago on the other side of the globe, but relinquish the only island belonging to Spain that was worth anything to America?

Mr. NEWLANDS. I quite agree with the gentleman as to the importance of Cuba as a part of the United States. I differ with him as to Hawaii. I think that the proper expansion of this Republic involves not only the expansion over contiguous territory, but the acquisition of islands essential to our coast defense; and I have always regarded Hawaii, halfway as it is toward the Orient, as a most valuable place as a military and naval station, and as also constituting a defense to our coast line from Alaska to San Diego.

Mr. HOOKER. Will the gentleman allow me to ask him another question?

Mr. NEWLANDS. Thus diminishing both our military and naval expense. If the gentleman will hear me, I have always felt that if those islands were in the hands of a hostile power, that if such power had a naval station there, it could be made a point from which a radiating attack could be made upon our entire merchant marine upon the Pacific coast, and you must recollect the coast line of the Pacific is longer than that of the Atlantic. Take a radial line of only 2,500 miles from Hawaii and it would touch every part of our coast from Alaska to San Diego, and if an attack were aimed upon us from the Asiatic coast the ships would be derelicts in the ocean before they would reach our shores unless they could take on coal at Hawaii; and the very possession of the islands has in itself been a matter not only of diminishing the military and naval expense, but a matter of legitimate expansion to the commerce of the Republic.

Mr. HOOKER. In the line of the gentleman's argument, I would like to ask him another question. Why should the Government of the United States pass over Cuba, the most fertile country on earth, which we have always desired to have, and seize upon Porto Rico, beyond Cuba, no less fertile, but a less favorable possession than Cuba?

Mr. NEWLANDS. The reason was that we promised Cuba independence, and there has been a hypocritical effort upon the part of the Republican party to keep that promise. They have been seeking all the time to fasten upon her the control of military power and to reduce her to the position of a military dependency, whilst they have been preaching the doctrine of benevolence and disinterestedness.

Now, I propose, so far as we are concerned, that we should insist upon it that if any concessions as a matter of sentiment are made to Cuba we should accompany those concessions with a cordial invitation to Cuba to become a part of the United States. That is not the application of force. We could make a temporary reduction to those islands, and give Cuba to understand that she was to have abundant time for deliberation and consideration. The force that would bring her into this country would be the force of her own reason and of her own necessity, which ought always to guide and control a people. Now, with reference to this proposed bill, I have already stated that it would not reduce the price to the American consumers. That is very easily demonstrated. The production of sugar in the world is about 10,000,000 tons. The United States consumes about one quarter of that, or about 2,500,000 tons. You can understand, then, how desirable a market the United States is. Now, of this 2,500,000 tons consumed in America about one-third is produced by Porto Rico, Hawaii, Louisiana, and our beet-sugar farms. Another third comes from Cuba. The other third comes from the rest of the world.

With a view to protecting the production of sugar in this country, as well as collecting revenues, a tax of \$34 a ton was imposed by the Dingley Act upon sugar coming to this country, thus practically doubling the world's price of raw sugar as it stands to-day. Now, admit Cuban sugar free, or admit it with a reduced duty, and what is the result? Will the price of our domestic sugar be reduced? Not at all, for the price of our domestic sugar to-day is the world's price of sugar plus our duty, plus the freight to this country, and that will be the case until the United States produces its entire consumption. As long as 100,000 tons are imported from abroad and this duty lasts the domestic price of sugar in this country will be the world's price, plus the duty, which means that in America to-day the American people pay double the world's price for their sugar.

Now, suppose we let in Cuban sugar free or with a reduced duty. It means that only one-third of the two-thirds of foreign production comes in with a reduced duty. We still import 750,000 or 800,000 tons, and the price of that will be the world's price, plus the duty, so that the domestic price to consumers will be maintained at the same rate. The very purpose of the Dingley Act was to accomplish this, and the very purpose of this bill, as alleged by its author, is not to reduce the price to the American consumer, but to transfer \$6,000,000 of the duty now paid on Cuban sugar to the pockets of the Cuban planters. That is the proposition, \$6,000,000—20 per cent.

Now, you say, that is only fair, that the Cubans pay the duty upon the sugar, and we return to them 20 per cent of what they pay. But the Cubans do not pay the duty upon her sugar. The duty upon her sugar is paid by our consumers, by our refiners, and their customers. Our refiners pay the duty and impose it as an additional price upon the consumer. So that we have here a reciprocity arrangement which involves no reduction in price to the American consumer, but a transfer of one-fifth of the tax paid by American producers upon Cuban sugar, and not by the Cubans upon Cuban sugar; a transfer to the Cuban planters of that one-fifth.

What is the reason this is urged? Why, it is urged simply because the Cuban planters are in distress. Well, I am sure that distress always has my sympathy. I sympathize with the Cuban planters if they are in distress. I sympathize with the Cuban laborers if they are in distress. I sympathize with our American farmers and our American laborers if they are in distress. But distress should not be the occasion of national legislation.

When the farmers of this country were in distress in 1893, receiving the world's price for farm products, recollect, just as Cuba is receiving it to-day, we did not seek by legislation to increase the price which they should receive. And yet, with reference to foreigners, we propose to increase the price which the foreign planters shall receive for their product, simply because they are not satisfied with the world's price.

And why is the world's price so low? Simply because Cuba has produced so much. Prior to the Cuban war the production of Cuba was 1,000,000 tons per annum. During the Cuban war that

production fell to 100,000 tons per annum. That was the opportunity of the protected and bounty-fed sugar producers of Europe, and they entered the markets of the world that Cuba had controlled, and monopolized them, and the result was that when the Cuban war was at an end she found the places in which she had been accustomed to sell her crops monopolized by other producers. Notwithstanding that she started in to produce, and she has increased her production from 100,000 tons, the lowest production during the Cuban war, to 850,000 tons, nearly one-tenth of the world's product; and the surplus of 1,000,000 tons in the world to-day consists almost entirely of the Cuban products. The price which Cuban planters receive responds to the law of supply and demand. The supply has been increased beyond the demand, and the price has fallen. She is unwilling to accept the world's price of sugar, which is below 2 cents a pound, and she claims that she can not produce it for less. Therefore, she asks relief.

Judged as a mere reciprocal arrangement, judged by business considerations, there is no reason for this legislation. It is legislation unparalleled in the history of our country. It is a kind of legislation that we have never brought to the relief of our own producers. It is a kind of relief that we ought not, as a matter of business, to extend to the producers of other countries. But sentimental legislation—

Mr. SAMUEL W. SMITH. Will the gentleman yield for a question?

Mr. NEWLANDS. Sentimental considerations have been—yes, I yield to the gentleman.

Mr. SAMUEL W. SMITH. Does the gentleman hold under the Platt amendment that Cuba is not allowed to enter into a commercial treaty with any other power?

Mr. NEWLANDS. Cuba is absolutely free to make a commercial treaty with any other country she sees fit, and this legislation can not be justified on the ground that the Platt amendment limits her treaty-making power. It does not in any way limit her power to make commercial treaties.

Well, my friends, I think we have all indulged in sentimental considerations; but the American people are becoming tired of sentimental legislation. We have spent \$300,000,000 to free Cuba as a matter of sentiment. We have spent over \$500,000,000 in endeavoring to carry civilization to the Philippine Islands. Now it is proposed that we should carry this sentimental legislation further, and that when Cuba is about to inaugurate her own government we make her planters a gift of the taxes imposed, not upon her people, but upon our people; and the only justification for that is that Cuba needs help. The proposition is to transfer these taxes to a foreign producer, because if you admit that Cuba is an independent government her people must be foreigners.

Now, so far as I am concerned, I am willing to extend this sentimental legislation. I realize the fact that Cuba is about to inaugurate her own government. I realize the fact that the low price of sugar is likely to have a depressing effect upon her industries. I will be glad when Cuba becomes a part of the United States. I am willing to add to the generosity which we have already extended to her, but I would add in connection with the extension of this liberality an invitation to become a part of the United States, and I would extend the invitation for this reason: The United States during the past three or four years, for the first time in its history, has entered upon a policy of imperial expansion. It has for the first time in its history asserted its right to hold a country subject to its domination and a people subject to its domination. Cuba may well feel that if she applies for annexation to this country she will be accepted, but will be reduced to a condition of a colonial possession or military dependency.

I would give her heart and courage now and insure her of the enduring sympathy of the Republic. That it is the purpose of this country, at least so far as she is concerned, to recognize that island as a part of the legitimate expansion of the Republic, and not as a part of the expansion of the empire. I would accompany this by a temporary reduction extending over one crop, or, if necessary, two, extending an invitation, giving her the benefit of the proposed arrangement, not as a part of a general reciprocity policy of the country, so that it should not be considered an indorsement of reciprocity, but simply as an extension of sentimental legislation already enacted, and giving her time for deliberation and consideration, without the pressure of economic distress. I would not give anyone the opportunity of saying that we forced Cuba into the Union through her distress, but I would give her to understand that after this temporary reduction for a single crop or two crops, tiding over such distress, reciprocal relations would exist no longer, and that after that commercial union could only be accomplished by political union. I would put an end to sentimental legislation in this way.

I believe that annexation will be a good thing for Cuba. I believe it will be a good thing for the United States. There never

has been a time in the history of the Republic that Cuba has not been regarded as a desirable part of the United States. If we are to annex a country, let us annex a rich country, and Cuba is the richest country upon the globe. If we are to annex a country, let us annex a country with a good climate, and Cuba has one of the best climates in the world, a temperate climate, one that is suitable for exertion, and one that maintains a strong and vigorous race. Cuba is a country that is capable of sustaining a population of 12,000,000 to 15,000,000 people. If she is to be annexed I would rather have her annexed shortly after the withdrawal of military control, when the transfer will be easy, and not after years of strife, civil war, and confusion, such as are sure to be inaugurated, as in every Spanish-American republic.

I believe it would be a good thing for Cuba to give her the free access to our markets; give her this double price of sugar which is now paid by our domestic consumers and the price of her sugar will rise from \$34 per ton, the price in the world's market, to \$68 a ton in our market. Assuming that the present tariff is maintained, it will mean a clean gift annually to Cuba of \$30,000,000. Of course, the result of that annexation will be that immediately the labor values of Cuba will increase. It will mean, with our immigration laws and with our contract-labor laws extended to that island as a part of the Republic, restriction of the labor there and an increase of the production equal to the point of the limited labor supply and would increase the value of every unit of labor, just as it has in the Hawaiian Islands, and thus gradually the labor cost of production in the beet-sugar farms and the cane-sugar plantations of Louisiana, Hawaii, and Cuba would be equalized.

In the Hawaiian Islands, unfortunately, when we took them we had the very worst form of sugar production. The production of sugar was upon great plantations, where the laborers occupied the relation of serfs attached to the soil. We could not change that condition in a day. We could not restore the Chinese and Japanese who were there to their own lands, but the very result of the extension of our immigration laws and contract-labor laws was to so increase the price of labor and the independence of labor that the planters have been clamoring for a relaxation of these laws. The very clamor of the planters indicates that the condition of the laboring classes has been improving. If we had been true to our duty and provided a gradual system of dividing up these great plantations into small farms, there is no reason why the production of sugar could not be made an industry that will sustain as good a class of producers as any other farming industry. The trouble is that capital has monopolized the business and controls great areas of land and obtained the cheapest labor. A wise legislation applied to Cuba will promote small land holdings in that island, will break up these great plantations, and will promote the welfare and the well-being of the individual laborers, and thus tend to advance Cuba's population to a condition of self-respecting citizenship in this great Republic.

Mr. SPARKMAN. Mr. Chairman, will the gentleman allow an interruption?

Mr. NEWLANDS. Yes.

Mr. SPARKMAN. I was quite interested in the reasons the gentleman gave for the annexation of Cuba to the United States. One of the reasons was, of course, that it would be beneficial to Cuba; and I can well understand that. The only reason why the gentleman gave for its being beneficial to the United States was that Cuba is a rich country. Has the gentleman any other reason?

Mr. NEWLANDS. I think our people would settle in that country. I believe we would greatly improve and build up the country and it would be a benefit to us to have our population settle there. I believe that in time Cuba will be as beautiful as the Riviera of Italy and France.

Mr. SPARKMAN. How would that benefit the United States?

Mr. NEWLANDS. You might as well ask me how the extension of the Republic across the Alleghenies or the extension of the Republic to the Pacific coast has been of advantage to the Republic. It has increased the population, it has increased the wealth, it has increased the power, it has increased the prestige of the country. In addition to that, these islands stand right at the mouth of the Gulf. You may regard Cuba almost as a fortress at the mouth of the Mississippi. This island stands in the line of our isthmian canal. There is every reason why we should have this island as a part of the United States. It seems to have been lopped off by a convulsion of nature. I think it quite reasonable to believe that Cuba was at one time a part of Florida, which the gentleman represents.

Mr. SPARKMAN. One question more. I understand the gentleman to say that this concession to Cuba will interfere to some extent with the beet-sugar industry in this country.

Mr. NEWLANDS. It will to this extent. It will not affect the price of sugar in this country, but the prospect of reciprocity, and the prospect of annexation, I admit, will have some unfavorable effect upon the future extension of beet-sugar production.

But I claim that it will rest largely in the imagination. I asked the sugar producers who appeared before the Ways and Means Committee which they preferred, reciprocity or annexation, and they replied annexation, because they knew that our immigration and contract-labor laws would apply. This bill applies to them also, but who is to enforce them? A proper enforcement of the law depends upon annexation.

Mr. SPARKMAN. If the prospect of this bill has that effect, what will the actual realization be?

Mr. NEWLANDS. I think the realization will be less than the anticipation. I believe that sugar is almost altogether a product of labor. Sugar is produced cheaper in Cuba because labor is cheaper there than in the United States. But when our immigration laws and contract-labor laws are applied to that island, when she becomes a part of the United States, when we can enforce them, and not leave them to be enforced by the people there, the immediate effect will be an increase in the price of labor, just as in the case of Hawaii. Hawaiian planters thought they were entering upon an era of unequaled prosperity after annexation, but it has not been realized. Now there is an absolute depression in the sugar stocks there, arising from the fact that the price of labor has advanced as the result of annexation. The laboring classes have been benefited there by annexation more than the planting class.

Mr. ROBINSON of Indiana. Let me ask the gentleman how much the price of labor has advanced in the Hawaiian Islands since annexation?

Mr. NEWLANDS. I can not tell the gentleman mathematically.

Mr. ROBINSON of Indiana. The present price is about \$17 per month, and board and clothe themselves.

Mr. NEWLANDS. What was it before?

Mr. ROBINSON of Indiana. About \$15 or \$16 a month.

Mr. NEWLANDS. It has advanced a great deal more than that.

Mr. ROBINSON of Indiana. Before annexation they had the contract-labor system, under which the large body of laborers were practically slaves, as the gentleman himself has told us. But the present price is about \$17 per month. I mean, of course, Japanese and Chinese labor, practically the only kind utilized there.

Mr. NEWLANDS. The price of labor there has steadily advanced; and so far as Cuba is concerned the advance in wages is best illustrated by the fact that within the last year, as the result of the increased production of sugar in Cuba and the increased demand upon a limited laboring population, the prices of labor have advanced nearly 50 per cent and have equaled the wages of farm laborers in this country.

Mr. BALL of Texas. Is it not the fact also that under the labor laws in operation there before annexation, while the wages were nominally a certain amount, the penalties of one kind or another absorbed half of those wages?

Mr. NEWLANDS. I am not familiar with the facts in regard to that. All I know is that the price of labor has materially advanced.

Now, Mr. Chairman, I have stated my objections to this bill, and I have also stated the concessions which I think can be judiciously made to Cuba as an extension of our sentimental legislation. I believe in the expansion of the Republic over contiguous continental territory and adjacent islands that are essential to our coast defense. I believe that Cuba is a part of that desirable expansion. I believe that it is incumbent upon us to give the invitation to Cuba, rather than wait for her application, simply because she will hesitate to reply, knowing the experience of Porto Rico and the Philippine Islands; simply because it is our duty to express to her in clear and unequivocal terms our purpose in regard to her should she seek annexation—that we intend to make her a part of the Republic, not a part of the empire.

I am against reciprocity treaties in every shape and form as an expansion of the system of high protection, as involving no reduction of price to consumers and involving domestic ill feeling and jealousy from the favoring of certain domestic interests and the discrimination against other domestic interests, and also involving in the end international dislike, envy, and hatred. And so I am against this bill unless it be so amended as to be accompanied by the invitation to which I have referred, and which, if accepted by Cuba, will open to her such a future of freedom, prosperity, and happiness as she can never secure through independence. What greater boon of liberty can she enjoy than that secured by the Constitution and equal laws of the Republic, and what greater future can await her than that of ultimately becoming a sovereign State of this Union? [Loud applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CAPRON having taken the chair as Speaker pro tempore, a message from the President was communicated to the House of Representatives by Mr.

PRUDEN, one of his secretaries, who announced that the President had approved and signed a bill of the following title:

On April 7, 1902:

H. R. 13360. An act making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for other purposes.

RECIPROCITY WITH CUBA.

The committee resumed its session.

Mr. McCLELLAN. Mr. Chairman, after three months of the hardest kind of work—after concessions offered and concessions made—after rebellion sternly repressed—after semiofficial utterances printed in the semiofficial press to the effect that the Administration would die in a certain "last ditch" that has been moved forward and forward and forward until it has disappeared over the horizon—the much desired, the much prayed for bill for the relief of Cuba is at last before the House.

When I look across the center aisle and see the somewhat bedraggled and wearied appearance of the white dove of harmony that perches upon the banners of the Republican party, a little incident recalls itself to my memory—an incident that occurred at the beginning of the present session. There was a matter of importance before the House; and we Democrats were opposing it in the usual united and brotherly way in which we oppose everything [laughter], when suddenly out of the night of the Republican side came my committee colleague, the gentleman from Ohio [Mr. GROSVENOR], walking with stately tread across the well. He leaned upon one of the desks in the front row and recited to us a little poem that has since brought him well-deserved fame as a poet and has unquestionably resulted in his renomination to Congress. [Laughter.] It seems to me that the time is now opportune to return it to him—I only wish that he were here so that he might hear me recite it—to return it to him with the grateful acknowledgment of an appreciative minority:

When birdies in their nests agree,
It is a rare delight;
But, oh, it is so sad to see
Those little birdies fight.

—GROSVENOR.

[Laughter.]

I had feared that the majority party would be hopelessly divided upon this bill. We had heard of insurgents who would never, never die, and seldom surrender; but—

These were the gods of yesterday;
The wind hath blown them all away.

[Laughter.]

When the grand army began its retreat from Russia, Marshal Ney commanded the rear guard, 30,000 strong. As the remains of that army reached imperial territory, the Emperor sent for Ney. The "Bravest of the brave" rode up, a mere wreck of his former self, and saluted. "Ney," said the Emperor, "where is the rear guard?" "Sire," replied the marshal, "I am the rear guard."

I am no prophet, Mr. Chairman, but I venture to predict that when the roll is called upon the final passage of this bill, if any one asks where are the "insurgents," the gentleman from Minnesota [Mr. TAWNEY], my colleague on the committee, will rise sorrowfully in his place and, respectfully addressing himself to the Chair, reply, "Mr. Speaker, I am the insurgents." [Applause and laughter.]

Self-examination is sometimes the most excellent self-discipline. For four years we have been trying to deceive ourselves that we fought the war with Spain simply as an incident of chivalrous knight errantry, without any selfish motive. What are the facts? It is true that sentimentality did influence us, and greatly influence us, but there was another cause that brought on the war with Spain.

Cuba lies at our door, the key to the Caribbean Sea; the key to the Nicaraguan Canal, if that is ever constructed. A condition of anarchy had existed in Cuba for nearly thirty years. Cuba, owing to misgovernment, was a breeding spot for pestilence that ravaged the cities of the United States. The conditions became intolerable. Then came the tragedy of the *Maine* and war followed. If we freed Cuba, at least we were repaid for that act of generosity. Cuba was freed and the Cuban people profited, but we profited quite as much. In the resolutions which virtually brought on the war we recognized the independence of Cuba. We proclaimed in the so-called Teller resolution—

That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

That was in 1898. We recognized the republic, for that was virtually what it meant—the independence of the Republic of Cuba. In 1901 we restricted that independence by the so-called Platt amendment. It is true the gentlemen on this side of the House, I think without exception, voted against the Platt amendment.

Mr. TAWNEY. Will the gentleman pardon me?

Mr. McCLELLAN. Certainly.

Mr. TAWNEY. You have said that by the adoption of the Platt amendment we have restricted the independence of Cuba.

Mr. McCLELLAN. Most certainly.

Mr. TAWNEY. Will you explain to the committee in what particular we have restricted the independence of the island by the adoption of that amendment?

Mr. McCLELLAN. I am about to do so, if my colleague will bear with me for one moment.

Mr. TAWNEY. I thought the gentleman was about to leave the subject.

Mr. McCLELLAN. I shall not, perhaps, be able to enlighten the gentleman, but I shall at least be able to solve his doubts. By the adoption of the Platt amendment we restricted, I repeat, the independence and sovereignty of Cuba. In paragraph 3 of the amendment we stated "that the Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba," and so on, in reference to the treaty of Paris. We further reserved the right to take such coaling stations and naval stations as might be hereafter determined by treaty. Does anyone suppose that if Cuba declined to make such a treaty in the interests of good government we would not interfere and do exactly what we pleased? By the Platt amendment—

Mr. TAWNEY. Will the gentleman yield?

Mr. McCLELLAN. Certainly; I am always glad to hear the gentleman.

Mr. TAWNEY. Is there any evidence of a purpose on the part of our Government, in the event that Cuba refuses to enter into a treaty, such as is provided in the amendment, that we will intervene for the purpose of compelling transfer or anything of that kind?

Mr. McCLELLAN. Mr. Chairman, the only argument on which the Platt amendment stands or can be defended is that it is the ultimate outcome of the Monroe doctrine, and as the ultimate outcome of the Monroe doctrine it is necessary, according to the friends of the amendment, that we shall control the key of the Caribbean Sea. There is nothing specific in this, there was nothing specific in the Teller resolution, to suggest that we would take back part that we had granted. Nothing. In fact, there was everything to lead the average individual to suppose that we would never limit the sovereignty of Cuba, and yet we have done it.

Mr. PALMER. Just ask him how.

Mr. McCLELLAN. It is a mere question of splitting hairs—a mere question of splitting words—go on.

Mr. TAWNEY. A great many gentlemen around me are, together with myself, anxious to know how you interpret or how you conclude that we have limited the sovereignty of Cuba by the Platt amendment, when they are entirely free under that amendment to enter into reciprocal trade agreements with any country in the world, and when we do nothing more than to prevent them from entering into a treaty for the purpose of transferring that sovereignty to some other power.

Mr. McCLELLAN. I have sat at the feet of the gentleman from Minnesota so often and absorbed from him sweetness and light that I am glad he comes to me for information. [Laughter.]

Mr. TAWNEY. Yes; but I am not getting it very rapidly.

Mr. McCLELLAN. If the gentleman will only have patience—he is to have seven hours later [laughter]—if he will only bear with me until I can speak for five minutes I will explain to him.

The gentleman asks how have we limited the independence of Cuba when we have "generously" permitted her to make trade agreements or commercial treaties with any other country—

Mr. TAWNEY. Or any other treaty—

Mr. McCLELLAN. Let me finish my sentence.

Mr. TAWNEY. Or any other treaty, except a transfer of her independence.

Mr. McCLELLAN. Pardon me, the only possible treaty under the terms of the Platt amendment into which Cuba can enter is a treaty of commerce, for the reason that we have guaranteed her independence. She can not agree to reduce that independence; she can not agree, even if she would, to become a part of any other country. She can not permit a foreign garrison to come on the island of Cuba if she wants to. She can not have any foreign relations except with the United States.

Mr. COCHRAN. She can not make an offensive and defensive alliance with any other country.

Mr. McCLELLAN. Certainly she can not; and the permission that we have given her to make a trade agreement amounts to nothing, for what country would make a commercial treaty with Cuba knowing that if Cuba were to violate its terms, like some Latin-American republics, that she would be powerless either directly or indirectly even to request her to live up to the terms of that treaty without having to answer to the United States?

During the pendency of the Cuban constitutional convention the delegates of that convention sent to Washington certain representatives. Those representatives asked the President to make some arrangement of reciprocity for the benefit of Cuba. Congress was not in session and the President could make no pledge. It has been testified before the committee, it is a matter of common rumor, that while the President declined to make any such agreement because he had not the power, that he dismissed the delegates with one of those happy phrases for which he will always be remembered. "Go," said he; "trust the United States." We can not pay his memory a more respectful or a greater tribute than by showing that in his estimate of his countrymen he was not mistaken. [Loud applause.]

All witnesses who appeared before the Committee on Ways and Means, Cuban sugar growers, Government officials, even gentlemen from the central western part of the United States, representing beet sugar, conceded that economic conditions in Cuba were, if not to-day, at least would be in the immediate future, desperate.

Mr. TAWNEY rose.

Mr. McCLELLAN. Does the gentleman desire to ask me a question?

Mr. TAWNEY. I do not wish to interrupt the gentleman.

Mr. McCLELLAN. Excuse me. I have become so accustomed to answering questions from the gentleman that I thought he desired to ask me another.

Mr. TAWNEY. If the gentleman will allow me to suggest, those statements before the Ways and Means Committee were in January last and this is the month of April, and we have not yet seen the evidences of that distress.

Mr. McCLELLAN. A case of Christmas in April. [Laughter.] The census of 1899, as I remember the figures, shows that 58 per cent of the rural real estate in Cuba has been mortgaged and 79 per cent of the urban real estate. Three-fourths of the people of Cuba depend directly or indirectly for a livelihood upon the raising and the manufacture of raw sugar. Upon the success or the failure of the sugar crop depends the very life of Cuba.

The world market for sugar is overstocked. It has been estimated that on October 1, 1901, the world's supply exceeded the world's demand by 1,812,355 tons. The stock on hand waiting a possible rise in price, or waiting an increase of the demand, is growing greater every day. This extraordinary condition of affairs has been brought about by the bounty and cartel systems of Europe.

When the production of beet sugar assumed serious proportions on the Continent, governments at once began to impose excises for revenue purposes, as they had on almost every taxable commodity produced. For the purpose of encouraging the beet-sugar industry both Germany and France, as well as Austria, inaugurated, nearly twenty years ago, a system of export drawbacks. On sugar leaving the country the excise tax was returned; but as the amount of the excise was intentionally computed upon a lower yield of sugar per ton of beets than what was actually produced, the drawback operated as an indirect bounty on exportation.

Under this stimulus the production of beet sugar largely increased and an overproduction soon resulted; that is, more was produced than the world was willing to absorb at a profitable price. Accordingly, in some countries the indirect bounty was abolished and a direct bounty paid on exports, while in other countries a direct bounty was paid in addition to the indirect bounty. Production continued to increase and overproduction again resulted. In Germany and Austria the situation was relieved by the organization of what is called the Zucker-Kartel, which is a combination or trust composed practically of all the beet manufacturers and sugar refiners in Germany and in Austria.

Thanks to a prohibitive tariff, foreign sugar can not be marketed. Taking advantage of this fact, the cartel buys from its members all the beet sugar they can raise. It then apportioned among the refineries a sufficient amount of sugar to meet the home demand, fixing the price at somewhat less than that at which foreign sugar can be sold, plus the prohibitive duty. In this way the sugar manufacturer of Germany and Austria receives not only the direct bounty of the Government for the sugar that he exports, but also an extraordinary and artificial profit from the sale of sugar at home. While it costs 1.8 cents to make a pound of sugar in Germany, it is sold at Hamburg for export at 1.47 cents a pound, one-third of a cent less than the cost of production.

In the United States our beet-sugar growers are protected not only by the countervailing duty against bounty-fed sugars, amounting virtually to the amount of the bounty paid, but also by a direct protective duty amounting to about 94 per cent ad valorem. The United States consumed about 2,400,000 tons of sugar during the year 1901, of which amount she imported 1,600,000. Of this Cuba supplied 580,000 tons, the East Indies 300,000 tons, the British West Indies 110,000 tons, South Africa 100,000 tons, Germany 225,000 tons, and the remaining 285,000

tons were imported from various sources. The United States is therefore not a very wide field for European sugar, owing to the countervailing duty.

England is the market for which all Europe has been competing ever since the existence of the bounty system. Sugar is sold in London at 2 cents a pound, at a profit to the continental producer, while the same grade is sold in Germany for 8 cents and in France for 10 cents.

The result of this artificial condition has been the constant reduction of the price of bounty-fed sugar. This constant fall in price caused by a further overproduction brought continental economists to a realization of the gravity of the situation. Eleven unavailing efforts had been made in international conferences to come to some general understanding upon the subject of bounties.

Conditions last year were so serious that another conference was held at Brussels, which has at last reached an agreement. The only alternative to a still further increase of Government bounties was the entire abolition of the bounty system, and this is the radical step that has been taken in the Brussels convention. After the 1st of September, 1903, the contracting parties, including every European power but Russia, are to abolish all direct and indirect bounties, while the surtax on imported sugar is limited to a maximum of 5.50 francs on a hundred kilograms of raw sugar, being an equivalent of 0.481 cent per pound avoirdupois, and 6 francs per hundred kilograms of refined sugar, being an equivalent of 0.525 cent per pound avoirdupois. This means that the margin between the excise tax levied on domestic sugar and the customs tariff imposed on foreign sugar shall never exceed a maximum of 5.50 francs in the one case and 6 francs in the other per hundred kilograms.

The effect of the abolition of bounties and of a reduction of the surtax to a minimum will immediately result in the disruption of the cartel in Germany and in Austria, for the cartel can only exist because of the bounties and of the enormous margin between the domestic excise and the customs duty. As sugar costs the German producer something like 1.8 cents per pound, and as it is selling for export at the world price of 1.47 cents per pound, the abolition of bounties and the disruption of the cartel must increase the world price of sugar to the cost of manufacture plus a profit. Professor Wiley, of the Agricultural Department, has estimated this increase of price at four-tenths of a cent per pound.

The first effect of the Brussels agreement was the fall in the price of sugar to the equivalent of 3½ cents in New York for raws 96° polarization. It is probable that this price may still further fall during the coming year, because as there are only two crops which will receive the benefit of bounties and the cartel, producers will strain every effort to make those crops as large as possible.

In other words, the supply will more than ever exceed the demand, and consequently the world price will certainly not go above its present figure. When the Brussels agreement goes into effect in 1903, there will be enormous quantities of sugar in storage that have not been consumed, estimated at at least 1,000,000 tons. This surplus sugar must be absorbed and production must be reduced to balance the supply under the new and natural conditions before the price of sugar will advance. When the effects of the artificial stimulation to production have passed away, then the world price of sugar will advance and be controlled by the economic law of supply and demand.

As Germany is the largest producer of sugar in the world, the world price of sugar is fixed at her principal port of export, Hamburg. The price of sugar in New York at any time will, therefore, be the Hamburg price plus freight and shipping charges, duty, and countervailing duty. The following statement will explain my meaning:

Parity of 88° analysis beet sugar and 96° polarization cane sugar, per 100 pounds.

Beet sugar, at 69 f. o. b. Hamburg, per 112 pounds	\$1.47
Freight, 7.6 per ton	.083
Insurance, bank commission, loss of weight, ¼ per cent	.022
Duty (88° analysis outturns 94° polarization)	1.615
Countervailing duty (German sugar)	.26
Lighterage at New York	.03
Difference in value to refiners between 88° analysis and 96° polarization	.19

Parity of 96° polarization cane centrifugal..... 3.67

The price of sugar at Habana free on board ship at any time will be the price at New York less duty, freight, and shipping charges.

There are two standard grades of raw sugar produced in Cuba—centrifugal, polarizing at 96°, and molasses sugar, polarizing at 89°. The price of centrifugal sugar 96° test in New York yesterday was 3½ cents, while the price of molasses sugar is 2½ cents. These prices will scarcely increase permanently until the Brussels convention is in full force and operation. It is even probable that they will fall.

The Dingley duty on a pound of 96° centrifugal is 1.685 cents, making the bond price at New York 1.815 cents. To ascertain the shipping charges, freight and commission, I have drawn

from the testimony of witnesses appearing before the Committee on Ways and Means. For freight, I have taken the figure given by the witness Leavitt, 0.11 cent per pound, which is below that given by witnesses not appearing in the interest of beet sugar. Insurance is 1 per cent, weighing 0.01 cent, brokerage and charges 0.01, loss in weight and test 0.02, commission 2½ per cent, making the total freight and shipping charges for a pound of sugar at the present price 0.252 cent. This deducted from the New York bond price makes the Habana price, f. o. b., 1.563 cents per pound.

To ascertain the average cost of a pound of sugar f. o. b. at Habana I have averaged the figures submitted by eight witnesses who appeared before the Committee on Ways and Means—namely, Col. Bliss, United States collector of customs at Habana, Messrs. Atkins, Hawley, Machado, and Fowler, for reciprocity, and Messrs. De Castro, Oxnard and Saylor against reciprocity. As those appearing in the interests of the beet-sugar trust made ridiculously low estimates, and some of those appearing in the interests of reciprocity rather higher estimates, the average of their figures would appear to be a fair statement of the cost. It is exactly 2 cents a pound. As the price f. o. b. at Habana is 1.563 cents, and as the average cost of producing and placing on shipboard a pound of sugar is 2 cents, the loss to the Cuban planter is 0.437 cent.

The price of molasses sugar is so low and the cost so comparatively high that very little is now exported to the United States. The amount is so small that it may be left entirely out of consideration, and the total crop exported may be considered as consisting entirely of 96° centrifugal sugar. It has been estimated that the total crop of Cuban sugar that will be ready for the market after May 1 will amount to about 850,000 tons or 1,904,000,000 pounds. As the loss per pound to the Cuban planter at the present market price is 0.437 cent, the total loss on this year's crop will amount to \$8,320,000, or 21.8 per cent of the cost of production. This estimate is more than conservative.

Some authorities have estimated the loss upon the present crop as high as \$23,000,000, but assuming that it will only be \$8,320,000, it is none the less appalling. The average total cost of the government of Cuba under three years of American rule has been about \$17,000,000. In other words, if no relief is given there will be a loss of nearly one-half the total cost of government. The present crop will necessarily be marketed, even at this enormous loss, for the alternative is the sacrifice of the entire crop of 850,000 tons, costing an average of \$44.80 per ton, or a total of \$38,080,000.

Next year, however, with credit gone, with no hope of making a profit, it is perfectly evident that the Cuban planter must close his mills, let his fields go to waste, discharge his workmen, and face bankruptcy. As three-fourths of the people of Cuba are employed directly or indirectly in the production of sugar, and as the entire population depends for prosperity on the prosperity of the leading industry, the bankruptcy of that industry must necessarily mean ruin to Cuba, to be followed by the inevitable consequences—starvation, riot, bloodshed, and revolution.

This loss of eight million and odd dollars is the emergency that confronts Congress to-day. It must be prevented if we are to permit Cuba to become prosperous, if we are to permit Cuba to sell her stock of sugar without loss.

Among the various arguments that have been used against this bill one stands out before all others. It has been urged that no reduction of the Dingley rate on sugar can be made that will not inure solely to the benefit of the American Sugar Refining Company, otherwise known as the sugar trust. The gentlemen who have urged this argument have shifted their ground repeatedly. They first said: "Of course, the sugar trust will derive the sole benefit from any reduction on Cuban sugar, because the sugar trust is the sole purchaser that Cuba has, and can therefore fix the price of sugar."

The sugar trust has a total capacity of 40,000 barrels a day. Independent refiners, of whom there are ten, three being controlled by the same parties, have a total capacity of 20,000 barrels a day. The custom to-day in Cuba is for the planter to sell directly to the agent of the refiner. There is nothing to prevent him selling upon the New York market. Sugar is sold upon the New York market as sugar, according to its saccharine strength. There is no particular brand of sugar as there is of cigars. Sugar is sold as sugar and it is impossible to distinguish as to the origin of the different kinds of cane sugar of the same polarization and color. If it is possible for the American Sugar Refining Company to derive the full benefit of this revenue, or any benefit by fixing the price of Cuban sugar, it must necessarily follow that there can be two prices for the same article at the same place and at the same time, and if the price of sugar is fixed at Hamburg, as it is, this is impossible.

The next contention of these gentlemen who believe that the sugar trust would derive the full benefit of the reduction of the Dingley rate was that, as in the case of Porto Rico, the reduction would be solely for the benefit of the sugar trust, because Porto

Rican sugar failed to reach the price of Cuban sugar by 0.13 of a cent.

My distinguished colleague on the committee, the gentleman from Kansas [Mr. LONG], to whom so much is owing in bringing this bill before the House, never did a better day's work in his life, of the many good day's work that he has done, than when he proved the absurdity of this position. Gentlemen who have maintained it were so ignorant that they compared an inferior grade of Porto Rico sugar with a superior grade of Cuban sugar, but when Mr. LONG brought these two grades to a parity in saccharine strength, the price was practically identical.

The last contention was that the entire crop of Cuban sugar has been sold, or that options on it have been sold, to the American Sugar Refining Company.

Mr. THAYER. Has the gentleman any means of knowing, or can he ascertain to a certainty, what portion of the vast crop of sugar from Cuba has already been pledged or sold to the sugar trust of this country?

Mr. McCLELLAN. You mean the present crop?

Mr. THAYER. The crop now ready for sale.

Mr. McCLELLAN. It is not all ready for sale; but I have seen a statement, made on the 2d of April, which was not reduced to tons, and I did not have time to reduce it—I think my colleague on the committee, the gentleman from New York [Mr. PAYNE], stated it in his speech—I am told that he did—showing the exact amount in tons.

Mr. LACEY. I can give my friend from New York the statement showing the figures.

Mr. McCLELLAN. I thank the gentleman very much.

Mr. THAYER. From what source were the figures derived?

Mr. McCLELLAN. Let me read these letters signed "Wood, military governor."

Copy of cablegram received at War Department April 2, 1902.

HABANA, ———.

EDWARDS, War Department, Washington:

Telegrams sent to 194 sugar centrals, to which 136 answers have been received to date; also telegrams sent to 36 Cuban banking firms, to which 34 replies have been received.

Figures, according to replies received, as follows:

	Long tons.
Output for the year to March 25.....	584,259
Amount actually in hands of planters.....	217,531
Sold and delivered to island firms.....	194,913
Contracted for in the island and not yet delivered.....	43,578
Pledged as security for loans in the island, but not sold.....	255,222
Held at the option of the American Sugar Refining Company.....	3,285
Held at option of other American purchasers.....	2,285
Exported to the United States.....	25,646

All sugar above mentioned, except that at the option of American Sugar Refining Company and other American purchasers, is in the hands of Cuban planters and Cuban and Spanish commission houses doing business in the island of Cuba and is not at the option of anyone. Where held as security for loans advanced to planters, the planters will get the advantage of any raise in price under conditions of deposit, as is the custom in the island. This statement shows conclusively the absolute falsity of the declarations that the sugar trusts have control of considerable portion of Cuban sugar crop. Other statements will be furnished as soon as possible.

WOOD, Military Governor.

Received at War Department April 7, 1902.

HABANA, April 7, 1902.

Captain EDWARDS.

War Department, Washington:

Reference your telegram to-day, telegrams sent to 194 sugar centrals, as previously reported in my telegram 2d instant. Ten additional replies received since, which report as follows:

	Long tons.
Output for the year.....	24,755
Amount in hands of planters.....	13,290
Sold and delivered.....	11,311
Contracted for with island firms, but not delivered.....	3,019
Pledged as security for loans in island, but not sold.....	1,546

All sugar above mentioned is in hands of planters and Cuban and Spanish commission houses doing business in the islands with the exception of 2,385 long tons exported to United States. None at option of American Sugar Refining Company nor other American purchasers. Where held as security for loans, planters will get advantage of rise in price, as stated in telegram 2d instant. Two remaining banking firms replied: "Do not make loans on sugar." Above amounts should be added to my cable of April 3. No change in situation.

WOOD, Military Governor.

In other words, the sugar trust will not benefit from any reduction. The sole beneficiary of any reduction will be the Cuban planter.

Mr. FINLEY. Will the gentleman yield for a question?

Mr. McCLELLAN. Certainly.

Mr. FINLEY. I would like to ask the gentleman from New York whether it is not a fact that as to all the sugar which has been sold or contracted for at a given price the provisions of this bill will not benefit in any wise the planters of Cuba. That is true, is it not?

Mr. McCLELLAN. Certainly; but the amount is infinitesimal.

Mr. FINLEY. One question more. Will the gentleman agree to an amendment to except from the provisions of the bill this class of sugar—sugar which has been sold or contracted for at a given price?

Mr. McCLELLAN. I have no objection to that; as will be

developed in my remarks a little later, I am ready to go still further to join the gentleman in far more radical methods of controlling the sugar trust, if I have the opportunity.

Mr. FINLEY. I am not alluding to the sugar trust; I am alluding to the sugar which has been sold or contracted to be sold at a given price.

Mr. McCLELLAN. You mean for delivery in this country.

Mr. FINLEY. Yes; for delivery in this country.

Mr. McCLELLAN. I think it would scarcely be fair to except sugar contracted for to be delivered in Cuba, because a great many of the Cuban local refiners contract with the small cane growers in advance, not necessarily as to price; but the ordinary custom is that they contract for a certain amount of sugar at what shall be the market price when the sugar has been ground and produced.

Mr. FINLEY. I think I understand the gentleman. I have studied this bill somewhat, and read the various reports connected with it, and listened to the arguments on it. From the information that I have thus far derived I am convinced that the only argument in favor of the bill is that it is calculated to benefit the Cuban people, the sugar producers. Now, when you take away or when you give to others than the Cuban planters the benefit which will accrue under this bill, does not that destroy the argument which has been made up to this time in favor of the bill? In other words, is it not right and consistent to confine the benefits arising out of this bill to the Cuban planters and producers of sugar?

Mr. McCLELLAN. If it can be done practically, I agree with you.

Mr. FINLEY. Does the gentleman not think that this bill can be so shaped and framed?

Mr. McCLELLAN. I should be very glad to join the gentleman in an effort in that direction, but I think it would be only right to apply the same provision to all other Cuban products, although sugar is the great product, and on the same principle it might be wise—

Mr. FINLEY. If the gentleman will permit me, I will say that I am willing to apply the same principle to all other products.

Mr. McCLELLAN. I am willing to join the gentleman in the effort at any time.

Mr. COOPER of Texas. Is there any refined sugar in Cuba sold in the United States?

Mr. McCLELLAN. No.

Mr. COOPER of Texas. Is not all the Cuban sugar, or nearly all of the Cuban sugar, brought here and handled by the sugar-trust refineries?

Mr. McCLELLAN. No; but I should say, roughly, it is handled by the sugar trust in the proportion of about 4 to 2 or 2 to 1.

Mr. COOPER of Texas. It goes through the sugar trusts.

Mr. McCLELLAN. Not all of it.

Mr. COOPER of Texas. They purchase that which they sell to the American consumer.

Mr. McCLELLAN. Certainly, they do not get it free. [Laughter.]

Mr. COOPER of Texas. They do not charge a toll for refining, do they?

Mr. McCLELLAN. Oh, yes, they do; about a cent.

Mr. COOPER of Texas. But the great quantity of Cuban raw sugar comes to the American refineries, and is refined and sold to the American consumer.

Mr. McCLELLAN. I should say that two-thirds was refined by the sugar trust and about one-third by independent refiners.

Mr. SPARKMAN. Will the gentleman yield?

Mr. McCLELLAN. Certainly.

Mr. SPARKMAN. About what proportion of the sugar production of Cuba is used in the United States?

Mr. McCLELLAN. Oh, virtually all, except a small amount. Cuba is poor and hard up, and she can not now afford the luxury of sugar for home consumption.

Mr. SHALLENBERGER. Do I understand that the gentleman agrees that the entire benefit of this reduction is to go to the Cuban planters?

Mr. McCLELLAN. If the gentleman will permit me, I would like at this point to enlarge a little on that subject. The beet-sugar people have made their opposition to this bill on the ground that reduction in the Dingley rates will so stimulate the prosperity of Cuba, and so stimulate the production of cane sugar, that we will become an exporting instead of an importing country in sugar. If the production of sugar in Cuba becomes sufficiently large—were that much desired state of affairs to come about—then our market price will be fixed by the law of supply and demand.

To-day the market price is fixed in Hamburg, and as long as we import any large amount or any appreciable amount of Hamburg sugar, the price in New York will be fixed in Hamburg. Just as soon as we begin to export the price will be fixed in New York by the law of supply and demand, and then must neces-

sarily fall to the consumer. Of course the result of that would be that while the sugar trust might be driven out of business, the excellent Mr. Oxnard would probably be driven out of business at the same time, and that is what the beet-sugar industry fears. [Laughter.]

Mr. SHALLENBERGER. I want to simply ask you if you agree with the gentleman from New York?

Mr. McCLELLAN. I have no doubt that at present a 20 per cent reduction—

Mr. SHALLENBERGER. Would have no effect on the sugar consumed.

Mr. McCLELLAN. No; I am afraid not.

Mr. COOPER of Texas. Has not the Cuban producer of sugar already a protection that no other producer has?

Mr. McCLELLAN. Oh, no. Mr. Oxnard to-day has conceded himself that he has an ad valorem protection of 94 per cent on his product.

Mr. COOPER of Texas. I say no foreign producer of sugar.

Mr. McCLELLAN. Inasmuch as there is no countervailing duty the Cuban producer has; but the gentleman forgets there is no bounty paid on Cuban sugar.

Mr. COOPER of Texas. But there is a countervailing duty charged here against all sugar grown elsewhere.

Mr. McCLELLAN. Certainly, certainly, certainly.

Mr. COOPER of Texas. Then does he not get the advantage of that?

Mr. McCLELLAN. As far as it goes; but the gentleman forgets the fact that the German sugar raiser can sell his sugar at the port of Hamburg for 1.47 cents a pound, which cost him 1.80 cents a pound to raise, thanks to the bounty and the cartel. If the gentleman listened to the hearings, according to Professor Wiley, who takes the same position that the gentleman does, and who made little stump speeches every quarter of an hour against reciprocity—Professor Wiley says that the countervailing duty only countervails direct bounty and does not in any way reach the operation of the cartel. [Applause.] In other words, Cuba is not as well off as any country of Europe.

Mr. ROBERTSON of Louisiana. If the gentleman will allow me—

Mr. McCLELLAN. If the gentleman will excuse me, I should like to have a chance to say something myself.

Mr. WM. ALDEN SMITH. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. McCLELLAN. To my esteemed friend, certainly. [Laughter.]

Mr. WM. ALDEN SMITH. I should like to ask the gentleman if it is not a fact that the Indian Government has countervailed against the cartel?

Mr. McCLELLAN. Yes. We have not; but we ought to.

Mr. WM. ALDEN SMITH. Does not that establish a precedent?

Mr. McCLELLAN. It establishes a precedent which we ought to follow, but we have not followed it.

Mr. WM. ALDEN SMITH. I understood you to say we could not follow it.

Mr. McCLELLAN. Nothing of the kind. The gentleman is entirely mistaken. I said we have not followed it. I have not said that we ought not to follow it. I have said that our countervailing duty is absolutely insufficient to meet the countervailing duty which results from the cartel. The gentleman would have understood that if he had only listened to me, but I can not expect that of him. [Laughter.]

This bill consists of one section divided into four parts: First, a declaration of the purposes of the bill; second, certain conditions precedent upon the accomplishment of which by Cuba a horizontal reduction of 20 per cent on the part of the United States will come into effect, limited to a period of one year and eight months, which is the fourth part of the bill.

If the friends of the bill are accused of trying to make the least possible concession, of trying to save their faces, of trying to protect beet-sugar, and of trying, by refusing to consider the removal of the differential, to protect the American Sugar Refining Company, they have nobody but themselves to blame.

The bill has been attacked by my colleague the gentleman from Nevada [Mr. NEWLANDS] on the ground that it is sentimental legislation. That kindly, gentle soul tries to pose as being filled with the wormwood and the gall of cynicism, wishing to be paid for fulfilling an obligation cent per cent at market value. [Laughter.] The gentleman from Nevada sees fit to insist that Cuba must be annexed before she will be permitted to be prosperous. If the courteous highwayman, placing a revolver at my chest, asks me to give him my watch and pocketbook, I have the option to refuse, of course. The gentleman from Nevada offers Cuba the choice of starvation or annexation. Of course she can decline to be annexed.

For the benefit of the gentleman from Nevada let me suggest to him that there is a business side to this proposition which will even satisfy his dark and piratical soul. [Laughter.] The alleged purpose of the bill is to acquire reciprocal trade relations with Cuba. For the past three years our trade with Cuba has been steadily falling—that is, the imports into Cuba from the United States have been steadily decreasing. In 1899 the total imports from the United States to Cuba, excepting coin, were \$29,580,657, as against \$36,728,028 from other countries. In 1900 the imports from the United States had fallen to \$29,225,123, as against \$37,239,344 from other countries, while in 1901 the imports from the United States had fallen to \$28,017,820 and from other countries had risen to \$38,554,982.

The avowed purpose of this bill is to acquire for the United States the \$38,554,982 of trade now furnished by foreign countries. During the past year there have been bought by Cuba from the United States of beef and meats other than fresh, \$64,732, as against \$1,917,016 from other countries; of rice—and this is a product belonging to the district and the State of my colleague, the gentleman from Louisiana [Mr. ROBERTSON]—of rice, \$3,481, as against \$3,332,019. Oh, what an opportunity for Louisiana! [Laughter.] Of garden vegetables, \$868,223 from the United States, as against \$1,255,902 from other countries; of wine, \$6,493, as against nearly \$1,846,989 from other countries; and so on, and so on.

Mr. NEWLANDS. Will the gentleman permit me?

Mr. McCLELLAN. Certainly, my piratical friend. [Laughter.]

Mr. NEWLANDS. The gentleman proposes to secure trade with Cuba which now goes to other countries?

Mr. McCLELLAN. Yes.

Mr. NEWLANDS. By this reciprocal arrangement?

Mr. McCLELLAN. Yes.

Mr. NEWLANDS. Will the gentleman be good enough to state how it is to be accomplished? Is it to be accomplished by the reduction of 20 per cent upon the present Cuban tariff to American products, or is it to be accomplished by maintaining the present tariff so far as American products are concerned, and increasing the tariff 20 per cent as to all foreign products outside of America?

Mr. McCLELLAN. If the gentleman had not shown something of undue impatience, I was about to make a statement which would have obviated the necessity for the question.

Mr. NEWLANDS. I wished to ask the gentleman whether that is not the way in which they propose to do it.

Mr. McCLELLAN. I was going to answer the gentleman's question with another—[laughter]—a case of teacher and scholar. Is the 20 per cent reduction on the present Cuban tariff, which is, after all, a revenue tariff, of the kind the gentleman approves? Is that 20 per cent reduction sufficient to give us a monopoly of the Cuban market? If it is not, it will be necessary for Cuba to increase her tariff as against the world. My idea is that the simplest way, and there is a way certainly of making a monopoly of the Cuban market, will be for the gentleman to join with me in my efforts later on, when this bill is read under the five-minute rule, to increase the reduction to 50 per cent or 40 per cent or 33½ per cent, which will most certainly give the United States a monopoly of the Cuban market. [Loud applause.]

Mr. NEWLANDS. Will the gentleman answer me this question: Does he not understand that the Cubans propose to make this effective in giving America control of the Cuban markets by letting the present revenue tariff remain, so far as American products are concerned, and increasing the tariff on other foreign products? And I wish to ask the gentleman whether, so far as it is developed, the representatives of Cuba do not in that way propose to turn Cuba from a tariff for a revenue system to a protective-tariff system, and thus secure protection to American interests?

Mr. McCLELLAN. If the gentleman fears that unrighteous result let him join me in reducing it 50 per cent.

Mr. WM. ALDEN SMITH. I desire to ask the gentleman if he limits his ambition to a reduction of 50 per cent?

Mr. McCLELLAN. I have limited my ambition to a reduction of 50 per cent for this reason: In view of the fact that Cuba is a new Latin republic it is probable that she will have to depend upon her customs revenue for the purposes of government until we permit her to become prosperous, and therefore a greater reduction than 50 per cent would probably so far curtail her revenue as to disorganize her financial system. I would cheerfully vote for free trade with Cuba, if that is any satisfaction to the gentleman.

Mr. WM. ALDEN SMITH. I thought that was what the gentleman would come to.

Mr. McCLELLAN. Certainly. But she can not get on without a customs revenue.

Some of the opponents of this bill have professed to see a grave objection in the reciprocal feature of the bill. I know that two of my committee colleagues have in their reports suggested, one directly, the other by implication, that my Democracy is not sound, because I believe in reciprocity.

I know that some gentlemen on this side are inclined to look on reciprocity with grave doubt, fearing lest it will prevent the ultimate triumph of the great and sacred doctrine of free trade. They believe in free trade, and failing in that they do not want any reduction in the tariff. [Laughter.] Now, I may be right, and I may be wrong, and I should like to read to them certain quotations from the fathers, who until recently have never been suspected of being other than Democrats.

I may call to their attention the fact that the first treaty of reciprocity was negotiated by Franklin Pierce, a Democratic President. The Hawaiian treaty of reciprocity was renewed by a Democratic President, Grover Cleveland. The platform of 1892 proclaimed the doctrine, but what I want to call their attention to is the "report on the privileges and restrictions on the commerce of the United States in foreign countries," sent to the House of Representatives (this same House) on December 16, 1793, some years before my two committee colleagues became members. It was submitted by the then Secretary of State, Thomas Jefferson. In it he says:

Such being the restrictions on the commerce and navigation of the United States, the question is, in what way they may best be removed, modified, or counteracted?

As to commerce, two methods occur: First, by friendly arrangements with the several nations with whom these restrictions exist, or, second, by the separate act of our own legislatures for countervailing their effects.

There can be no doubt but that of these two, friendly arrangements is the most eligible. Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, could it be relieved from all its shackles in all parts of the world, could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness; the numbers of mankind would be increased and their condition bettered.

Would even a single nation begin with the United States this system of free commerce it would be advisable to begin it with that nation, since it is one by one only that it can be extended to all. Where the circumstances of either party render it expedient to levy a revenue by way of impost on commerce its freedom might be modified in that particular by mutual and equivalent measures, preserving it entire in all others.

Some nations, not yet ripe for free commerce in all its extent, might still be willing to mollify its restrictions and regulations for us in proportion to the advantages which an intercourse with us might offer. Particularly they may concur with us in reciprocating the duties to be levied on each side, or in compensating any excess of duty by equivalent advantages of another nature. Our commerce is certainly of a character to entitle it to favor in most countries. The commodities we offer are either necessities of life or materials for manufacture or convenient subjects of revenue, and we take in exchange either manufactures—when they have received the last finish of art and industry—or mere luxuries.

Such customers may reasonably expect welcome and friendly treatment at our market. Customers, too, whose demands, increasing with their wealth and population, must very shortly give full employment to the whole industry of any nation whatsoever, in any line of supply they may get into the habit of calling for from it.

But should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations it behooves us to protect our citizens, their commerce and navigation, by counter prohibitions, duties, and regulations also. Free commerce and navigation are not to be given in exchange for restrictions and vexations, nor are they likely to produce a relaxation of them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLELLAN. I ask unanimous consent that I may conclude my remarks. I have been interrupted so much. I will not take long.

The CHAIRMAN. The gentleman asks unanimous consent that his time may be extended. Is there objection? [After a pause.] The Chair hears none.

Mr. McCLELLAN. Thank you, Mr. Chairman.

I know that some earnest protectionists object to this reciprocal feature of the bill; they brush aside the cheap sophistry that reciprocity is "the handmaiden of protection," and know that this is the first step in the direction of a revision of the tariff and the reduction of the preposterous Dingley rates. This argument may have terrors for Republicans, but it should have no terrors whatever for Democrats.

The bill before us provides for a reduction of all Cuban products—but in considering it we should consider sugar chiefly—of 20 per cent. The present loss to Cuba under the Dingley rates, assuming that the present crop will amount to 850,000 tons, and that Cuba can market it at yesterday's price of 8½ cents per pound, will amount to \$8,320,000. A 20 per cent reduction will still show a loss of \$1,904,000 on this year's crop, or 5 per cent of the total cost.

A reduction of 25 per cent will still show a loss of \$305,000, or eight-tenths of 1 per cent on the cost. It is not until we reach a reduction of 33½ per cent at the present price that we find a profit of \$2,380,000, or 6.2 per cent profit on the cost of the present crop. In other words, this bill in its 20 per cent feature must be defended on the ground not that it permits Cuba to market her crop at a profit, but on the ground that it does partially reduce the loss. It is not a complete fulfillment of our pledge; it is only a step toward that fulfillment.

It has been further said by the distinguished chairman of our committee that the time has been limited to the 1st of December, 1903, because the Brussels convention will be in force then and sugar will go up a cent a pound, and Cuba will make a profit of

50 or 60 per cent on the cost of the crop. Professor Wiley, the most hidebound of all the representatives of the beet-sugar industry who appeared before us, only claimed, when trying to make out the best possible case for beet sugar, that the Brussels conference would increase the price of sugar four-tenths of a cent a pound. Assuming that it does, assuming that it goes up one-half a cent, and that would be 4 cents a pound, under the Dingley rate that would represent a profit of less than a million dollars on the total crop of 850,000 tons, or the magnificent profit of 2½ per cent and not 50 or 60 per cent.

Assuming that the result of the Brussels conference only brings sugar up to 3½ cents per pound, there will be no 50 or 60 per cent profit, but a loss of \$1,871,000, or 3.6 per cent on the cost of production.

Mr. NEWLANDS. Will the gentleman permit an interruption?

Mr. McCLELLAN. Certainly.

Mr. NEWLANDS. Does the gentleman regard it as the duty of the United States from year to year to save Cuba from loss on sugar production?

Mr. McCLELLAN. I regard it as the sacred duty of the United States, having taken willingly and cheerfully an obligation, having contracted a debt, to pay it back in full. [Applause.]

Mr. NEWLANDS. Very well. The gentleman proposes to make a reduction of 50 per cent, which will give the Cuban planter \$15,000,000 more than they would receive under the present rates and at the present price of sugar.

Mr. McCLELLAN. Oh, no.

Mr. NEWLANDS. How much, then?

Mr. McCLELLAN. Twenty per cent shows a loss of \$2,000,000 and over.

Mr. NEWLANDS. What I contend is that the gentleman proposes a reduction of 50 per cent, which will give them \$15,000,000 more than they would receive if they accepted the world's price of sugar to-day.

Mr. McCLELLAN. Hardly that. I grant the gentleman it would give them a profit. It would give them 15 per cent profit on the present crop.

Mr. NEWLANDS. Cuba has 850,000 tons. Our present duty is \$34 a ton, which would make it about \$30,000,000. Now, if the gentleman proposes to reduce that 50 per cent, does it not mean that the Cuban planter will receive \$15,000,000 more than they would receive by accepting the world's price?

Mr. McCLELLAN. No. The gentleman forgets the shipping charges and the costs. The gentleman forgets that the total reduction is not going back to Cuba in a lump sum to the planter; you have got to figure it out from the start down. If the gentleman figures it out that way, I have not the figures showing what it would be at 50 per cent. At 40 per cent it shows a profit of \$4,512,000.

Mr. NEWLANDS. I ask the gentleman from New York if the Cuban planters would not receive under a 50 per cent reduction \$15,000,000?

Mr. McCLELLAN. He would receive the difference of 50 per cent of 1.685.

Mr. NEWLANDS. I would like the gentleman to answer how much they will receive in addition to the world's price of sugar.

Mr. McCLELLAN. The Cuban planter receives to-day the price at Habana, which is the New York price less the duty and the shipping charges. But the gentleman must understand that the cost is greater by 0.315 per cent than the New York price. Now, if we give the Cuban planter 40 per cent reduction—I speak of 40 per cent only because I have the figures on that basis—I am trying to deal fairly and openly with the gentleman, and not to dodge any question that might arise upon a basis of 50 or 60 or 75 per cent reduction—if you give him a 40 per cent reduction on the present price he would receive a profit on every pound of sugar of 0.237 of a cent. Now, under the Dingley rate he will be receiving at Habana a price of less than 2½ cents, while the price at New York would be 3½ cents. He would be getting a cent less than the New York price.

Mr. NEWLANDS. These figures are entirely confusing to me—

Mr. McCLELLAN. Well, I can not guarantee that I will print my speech to-night, but when it is printed, if the gentleman will sit down and study it, or if he will read my report, which is short, I think this question will be perfectly clear to him. I do not want to keep the House here much longer—

Mr. NEWLANDS. I want the gentleman to state in gross the amount which the Cuban planter would receive if this 50 per cent reduction should take place in addition to what he receives to-day.

Mr. McCLELLAN. As I have already tried to explain to the gentleman, he would receive—

Mr. NEWLANDS. Can the gentleman state the specific amount?

Mr. McCLELLAN. If the gentleman would take his very active pen in hand—a pen that never grows weary—and multiply the difference between a loss of 0.315 of a cent and a profit of 0.237

of a cent and multiply that by 1,904,000,000, he will get his answer. [Laughter.]

Mr. SCOTT. Allow me to ask the gentleman one question. The gentleman's colleague [Mr. PAYNE] stated to the House in his opening address that if this reduction were made the Cuban product could be sold at a reasonable profit. The gentleman on the floor now tells us, in contradiction of his colleague, the chairman of the committee, that if this reduction be made the crop will be sold at a loss.

Mr. McCLELLAN. Yes.

Mr. SCOTT. Now, both of these gentlemen being members of the Committee on Ways and Means, and having given this matter thorough study, are entitled to be called experts. It seems to me, then, that this ought to be with them not a matter of conjecture, but of positive demonstration. I should therefore like the gentleman on the floor to tell, if he can, briefly how it happens that he has arrived at one conclusion and his colleague on the committee at another conclusion, while they are presumably figuring upon the same basis of facts.

Mr. McCLELLAN. I may suggest to the gentleman that my colleague on the committee, as well as my colleague in the delegation [Mr. PAYNE], possesses a bright and cheerful nature. He has not exaggerated, but he has taken the rosy view of everything that he has come in contact with. He has assumed, for instance, that the Brussels convention will raise the price of sugar 1 cent a pound, when, to be perfectly frank, there was no evidence before the committee that such would be the case. I do not mean to imply that the gentleman has undertaken to mislead the House; I think he is wrong, that is all.

Now, Mr. Chairman, to continue where I left off—

Mr. NEWLANDS. Will the gentleman permit me to make a little calculation?

Mr. McCLELLAN. Most cheerfully, only I would rather not, because I do not want to detain the House.

Mr. NEWLANDS. I do not wish to interrupt the gentleman—

The CHAIRMAN. The gentleman from New York [Mr. McCLELLAN] declines to yield.

Mr. McCLELLAN. No, I do not decline; the gentleman is always so charming and so persistent that I can not.

Mr. NEWLANDS. As I understand it, the present duty on sugar is about \$1.70 a hundred pounds—

Mr. McCLELLAN. How much?

Mr. NEWLANDS. One dollar and seventy cents.

Mr. McCLELLAN. Oh, no; \$1.68½ per 100 pounds of centrifugal 96° polarization. [Laughter.]

Mr. NEWLANDS. Which is about \$34 a ton. Now, it is proposed that Cuba shall import into this country 850,000 tons. Multiplying that by \$34 a ton—

Mr. McCLELLAN. Yes.

Mr. NEWLANDS. You make very nearly \$30,000,000.

Mr. McCLELLAN. Yes.

Mr. NEWLANDS. Which the Government would receive as a duty on that sugar.

Mr. McCLELLAN. Granted.

Mr. NEWLANDS. If the gentleman proposes to reduce that 50 per cent, it necessarily means that the Treasury of the United States loses \$15,000,000 and that the Cuban planters gain \$15,000,000. Now, I want to ask the gentleman whether he thinks it is the duty of this country to forever save the Cuban planters from loss year after year; if the property remains in the present condition, to give them out of the taxes of the Treasury, imposed upon our people as an additional price for sugar, \$15,000,000?

Mr. McCLELLAN. I will answer that by asking the genial though somewhat cynical gentleman from Nevada another question. The gentleman proposes, as I have suggested, to seize Cuba, to lay violent hands on Cuba and forcibly annex her, giving her the choice of starvation.

Mr. NEWLANDS. Not at all.

Mr. McCLELLAN. That being the case, the Treasury, which the gentleman desires to protect with all the industry and energy that are in him—and both are great—the Treasury will not lose \$15,000,000, but the people of the United States will lose the whole thirty-three millions under annexation.

Mr. NEWLANDS. That is true, and the Cuban planters will get \$30,000,000 more than under existing conditions, but they will then be Americans—not foreigners—and as American citizens will have the benefit of the laws that apply to the entire country.

Mr. McCLELLAN. Yes; and the gentleman wants to do it. I have no objection to the reduction of rates, but I have to the method employed.

Mr. NEWLANDS. Provided the duty remains the same. Let me ask another question. The gentleman says there is a compensating—

Mr. McCLELLAN. Oh, Mr. Chairman, Mr. Chairman!

Mr. NEWLANDS. The gentleman says there is a compensating loss in the imports into Cuba of the manufactured products

of this country, the products manufactured by the trusts. Now, then, does he say that they will get an additional profit of \$15,000,000?

Mr. McCLELLAN. Oh, the trust; no. I settled that question before. Mr. Chairman, I must really go on.

Mr. PAYNE. Will the gentleman yield?

Mr. McCLELLAN. Certainly.

Mr. PAYNE. I would like to ask if the gentleman will yield now to a motion to rise and then take the floor in the morning?

Mr. McCLELLAN. It will take me only a few minutes to finish, and I would rather go on now. There is one other point that has worried the gentlemen on this side of the House, and that is this: Gentlemen who are strict construers of the last party platform have sought in vain in the Kansas City platform for light and leading on this subject. They have sought in vain, for there is a higher principle involved than is contained in any mere iteration of words, and that is, that the good faith of the United States should be as good as the bond of any other nation. [Applause.] The great expounder of the Kansas City platform has expressed himself on this question. Let me read from the Commoner, William Jennings Bryan, editor and proprietor, Lincoln, Nebr., March 14, 1902, and I submit this most respectfully to the gentleman from Nevada [Mr. NEWLANDS]:

The beet-sugar business of this country amounts to about \$5,000,000 annually. To protect this, Congress is willing to perpetrate injustice—tax millions of consumers and ignore popular demand. Of course it is a Republican Congress.

In his message to Congress Mr. Roosevelt said:

"I must earnestly ask your attention to the wisdom—indeed, the vital need—of providing for substantial reduction in the tariff duties on Cuban imports into the United States."

The Republicans in the House propose to make a 20 per cent reduction, which, according to General Wood, is by no means sufficient, and there are indications that on this point some Republicans in the House are determined that justice shall be done the Cubans somewhere reasonably in line with the suggestions made by General Wood. This will be another opportunity for President Roosevelt to test himself and for the American people to test Mr. Roosevelt.

The Chicago Record-Herald, a Republican paper, says that on this question "American honor is at stake." The Record-Herald says that the Republican majority "has made a sorry exhibition of itself in its anti-Cuban caucuses." It remains to be seen whether Mr. Roosevelt will compromise upon this "vital need" and accept whatever sop to Cuba the trust magnates are willing for the Republican leaders in the House to bestow.

[April 4, 1902.]

American consumers are taxed on 2,000,000 tons of sugar in order to benefit the producers of 100,000 tons of beet sugar. The beet-sugar syndicate is in the saddle.

Of course the men who arbitrarily fix the price of sugar beets are weeping most copiously at the thought that the beet raiser may be ruined by tariff concessions to Cuba.

Mr. COOPER of Texas. For what purpose does the gentleman read that?

Mr. McCLELLAN. I read it for the purpose of giving light and leading to Democrats upon this side of the House, including the gentleman from Texas.

Mr. FITZGERALD. There is nobody who questions Mr. Bryan, is there?

Mr. PIERCE. Will the gentleman accept him on all propositions?

Mr. McCLELLAN. I think the Democracy preached by William Jennings Bryan is pretty sound Democracy, nine cases out of ten. [Applause on the Democratic side.]

The effect of the enactment of this bill in its present form will be that Cuba will market this year's crop, with good luck, with comparatively small loss; but as no hope is held out for the future, and as planters are not going to continue in business without a reasonable prospect of profit, next year's crop will be reduced to almost nothing, and the threatened bankruptcy of the new Republic will sooner or later occur.

A 33½ per cent reduction, or even a 25 per cent reduction, would give the planters of Cuba a slight profit for the present, a slight profit for next year's crop, and a certainty of considerable dividends as soon as the Brussels convention is in full operation. But we are under obligations to the new Republic, not only as a nation, but as individuals, by our several votes for the Teller resolutions and the Platt amendment, and so if the majority sees fit to limit the payment of that obligation in the interests of a selfish, greedy, beet-sugar trust, we are perforce compelled to follow them in that part payment.

We are under an obligation to Cuba of our own seeking, an obligation that should not be fulfilled in part, but entire. The word of the United States should be as good as the bond of any other nation. This bill does not completely fulfill our obligation; it is not all that it ought to be, but at least it is a step in the right direction. It does not afford sufficient relief to Cuba, but it does minimize the loss on the present crop of sugar. It is possible, but by no means certain, that a 20 per cent reduction of the Cuban rates will be sufficient to give us the monopoly of the Cuban market.

The bill is an enunciation of the Democratic doctrine of reciprocity; it is a breach in the wall of protection, and lowers in part, at least, the preposterous Dingley rates. If I am afforded an op-

portunity I shall try to amend by increasing the rates of reduction so as to make certain not only the control of the Cuban market by us, but also the prosperity of Cuba. I shall also try to amend by striking out the time limit. Failing in these amendments, I shall be constrained to vote for the bill; I can not see how I can do otherwise as a Democrat and as an American. I can not see how the Democratic party can take any other position.

Mr. Chairman, it has been suggested to those of us who take the position that this bill does not accomplish all it should, that it is only a partial fulfillment of our obligation, but that none the less we should vote for it, failing to amend—it has been suggested to us that we are making a mistake, that we are failing to take political advantage of the opportunity afforded to us by our opponents. It has been suggested to us that we ought to let the Republican party shoulder the responsibility of failing to give any concession to Cuba.

It seems to me, Mr. Chairman, that there are questions that rise above petty politics; that there are questions involving the dignity and the honor of the United States, on which there should be no division. If I have erred in my position, if I am mistaken in the way in which I intend to vote, I am willing to take the responsibility, conscious of the fact that I have done my duty to the best of my ability, according to the light God gave me. [Loud applause.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12765) to provide for reciprocal trade relations with Cuba, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 10117. An act granting a pension to Sarah H. H. Lowe; and

H. R. 10530. An act to repeal war-revenue taxation, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1025. An act to promote the efficiency of the Revenue-Cutter Service;

S. 3513. An act authorizing the construction of a bridge across the Missouri River at or near Parkville, Mo.;

S. 2442. An act confirming title to the State of Nebraska of certain selected indemnity school lands.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 150. An act for the establishment of an assay office at Provo City, Utah—to the Committee on Coinage, Weights, and Measures.

S. 642. An act to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands—to the Committee on Public Lands.

S. 1556. An act to provide for the purchase of a site and the erection of a public building thereon at Sterling, in the State of Illinois—to the Committee on Public Buildings and Grounds.

S. 5046. An act for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia—to the Committee on the District of Columbia.

S. 4284. An act to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889—to the Committee on Indian Affairs.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. JOHNSON, for one day, on account of important business.

To Mr. ELLIOTT, indefinitely, on account of important business.

LOWELL M. MAXHAM.

By unanimous consent, on motion of Mr. McCALL, leave was granted to withdraw from the files of the House, without leaving copies, papers in the case of Lowell M. Maxham, Fifty-sixth Congress, no adverse report having been made thereon.

And then, on motion of Mr. PAYNE (at 5 o'clock and 6 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy

of a communication from the Secretary of the Navy submitting an estimate of appropriation for quarters for marines at Culebra, P. R.—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with accompanying documents, a response to the inquiry of the House in relation to the transport service between San Francisco and the Philippine Islands—to the Committee on Military Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 97) to authorize the Secretary of War to furnish duplicate certificates of discharge, reported the same without amendment, accompanied by a report (No. 1510); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2782) to authorize the construction of a bridge across the Columbia River by the Washington and Oregon Railway Company, reported the same with amendment, accompanied by a report (No. 1512); which said bill and report were referred to the House Calendar.

Mr. ROBERTS, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 10144) to donate to the State of Alabama the spars of the captured battle ships *Don Juan d'Austria* and *Almirante Oquendo*, reported the same with amendments, accompanied by a report (No. 1513); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9776) granting an increase of pension to Alice A. Fitch, reported the same with amendment, accompanied by a report (No. 1480); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10321) granting a pension to Susan A. Phelps, reported the same with amendments, accompanied by a report (No. 1481); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11665) granting an increase of pension to Caleb C. Briggs, reported the same with amendment, accompanied by a report (No. 1482); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 181) granting an increase of pension to William C. David, reported the same without amendment, accompanied by a report (No. 1483); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12299) granting a pension to William C. Roberts, reported the same with amendment, accompanied by a report (No. 1484); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13323) granting an increase of pension to Mary E. Barger, reported the same with amendments, accompanied by a report (No. 1485); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13321) granting an increase of pension to John S. Bonham, reported the same with amendments, accompanied by a report (No. 1486); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12724) granting an increase of pension to Richard M. Kellough, reported the same without amendment, accompanied by a report (No. 1487); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1331) granting

an increase of pension to John Ludwig, reported the same with amendment, accompanied by a report (No. 1488); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12458) granting an increase of pension to William M. Barstow, reported the same with amendments, accompanied by a report (No. 1489); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid pensions, to which was referred the bill of the House (H. R. 13019) granting an increase of pension to Marietta Elizabeth Stanton, reported the same with amendments, accompanied by a report (No. 1490); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13371) granting an increase of pension to Charles D. Palmer, reported the same with amendment, accompanied by a report (No. 1491); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2289) granting an increase of pension to Pistar Ingram, reported the same with amendment, accompanied by a report (No. 1492); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9833) granting an increase of pension to Margaret McCuen, widow of Alexander McCuen, reported the same with amendments, accompanied by a report (No. 1493); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4404) granting an increase of pension to Otto H. Hasselman, reported the same without amendment, accompanied by a report (No. 1494); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8429) granting a pension to Dollie M. Cronkite, reported the same without amendment, accompanied by a report (No. 1495); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8466) granting a pension to Lucinda A. Sirwell, reported the same with amendment, accompanied by a report (No. 1496); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5951) granting an increase of pension to Ole Thompson, reported the same with amendment, accompanied by a report (No. 1497); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5219) granting an increase of pension to Daniel Donne, reported the same with amendments, accompanied by a report (No. 1498); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6006) granting a pension to John Canty, reported the same with amendments, accompanied by a report (No. 1499); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7491) granting an increase of pension to William H. Chapman, reported the same with amendment, accompanied by a report (No. 1500); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7815) granting a pension to Nancy A. Killough, reported the same with amendment, accompanied by a report (No. 1501); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7334) granting an increase of pension to Ira L. Evans, reported the same with amendments, accompanied by a report (No. 1502); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3263) granting an increase of pension to John Revley, reported the same without amendment, accompanied by a report (No. 1503); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 2974) for the relief of J. V. Worley, reported the same without amendment, accompanied by a report (No. 1505); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5020) granting an increase of pension to Courtland C. Matson, reported

the same with amendment, accompanied by a report (No. 1506); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12489) granting an increase of pension to Ebenezer Wilson, reported the same with amendment, accompanied by a report (No. 1507); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11812) granting an increase of pension to Martin Boice, reported the same with amendment, accompanied by a report (No. 1508); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4643) granting an increase of pension to Pheobe L. Peyton, reported the same without amendment, accompanied by a report (No. 1509); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 10457) for the relief of Abram G. Hoyt, reported the same without amendment, accompanied by a report (No. 1511); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 12659) granting an increase of pension to Eveline V. Ferguson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11358) for the relief of Thomas T. Dunn and others—Committee on Private Land Claims discharged, and referred to the Committee on the Public Lands.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. COOPER of Wisconsin: A bill (H. R. 13445) temporarily to provide for the administration of civil affairs in the Philippine Islands, and for other purposes—to the Committee on Insular Affairs.

By Mr. DAYTON (by request): A bill (H. R. 13446) allowing three months' extra pay to United States Navy enlisted men who served outside the United States, and one month's extra pay to such as served within the United States during the Spanish-American war—to the Committee on War Claims.

By Mr. SMALL: A bill (H. R. 13447) to prohibit the sale or manufacture of distilled spirits, fermented liquors, or wines under the authority of the United States in States where the same is prohibited by the laws of said States—to the Committee on the Judiciary.

Also, a bill (H. R. 13448) to provide for terms of the United States district courts at Greenville, N. C.—to the Committee on the Judiciary.

By Mr. WEEKS, from the Committee on Elections No. 3: A resolution (H. Res. 204) in the contested-election case of James A. Walker v. William F. Rhea, Ninth district of Virginia—to the House Calendar.

By Mr. TAWNEY: Memorial of the legislature of Minnesota favoring the passage of Senate bill 3575, to increase the powers of the Interstate-Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the legislature of Minnesota, respecting the 5 per cent of the minimum price of the lands that have been appropriated as compensation for military services rendered the United States since the admission of Minnesota into the Union—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 13449) granting an increase of pension to Mary A. E. Scott—to the Committee on Pensions.

By Mr. CAPRON: A bill (H. R. 13450) granting an increase of pension to Henry F. Hunt—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 13451) for the relief of the legal representatives of Abraham Laurence, deceased—to the Committee on Claims.

By Mr. McCALL: A bill (H. R. 13452) granting a pension to Rose Murphy—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 13453) for the relief of Charles Mohn—to the Committee on Military Affairs.

By Mr. FLYNN: A bill (H. R. 13454) for the relief of Caroline H. Goben—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 13455) granting an increase of pension to Delos W. Hare—to the Committee on Invalid Pensions.

By Mr. JACKSON of Kansas: A bill (H. R. 13456) granting an increase of pension to Thomas Louderback—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 13457) granting an increase of pension to John S. Crosser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13458) granting an increase of pension to Enos Paulin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13459) granting a pension to Mary Ellen White—to the Committee on Pensions.

By Mr. LASSITER: A bill (H. R. 13460) for the relief of the estate of Peter McEnery, deceased—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 13461) granting a pension to Walter S. Buchanan—to the Committee on Invalid Pensions.

By Mr. ROBERTS: A bill (H. R. 13462) authorizing the President of the United States to nominate Lieut. Commander W. P. Randall, now on the retired list, to be a commander on the retired list—to the Committee on Naval Affairs.

By Mr. ROBINSON of Nebraska: A bill (H. R. 13463) granting an increase of pension to Hiram A. Hober—to the Committee on Invalid Pensions.

By Mr. SKILES: A bill (H. R. 13464) granting a pension to Mary Aby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13465) granting an increase of pension to William S. Foster—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 13466) for the relief of Joseph A. Farrow—to the Committee on War Claims.

By Mr. CONNER: A bill (H. R. 13467) granting a pension to Joseph H. Woodniff—to the Committee on Invalid Pensions.

By Mr. CONRY: A bill (H. R. 13468) granting a pension to Joseph S. Hess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13469) granting an increase of pension to Daniel R. Hanwell—to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: A bill (H. R. 13470) granting an increase of pension to George W. G. Russell—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13471) for the relief of Sarah E. Cady—to the Committee on War Claims.

By Mr. CANNON: A bill (H. R. 13472) granting an increase of pension to Lewis E. Wilcox—to the Committee on Invalid Pensions.

By Mr. RAY of New York: A bill (H. R. 13473) granting an increase of pension to Mary A. Aldrich—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Paper to accompany House bill 11357, for the relief of W. P. Fryer—to the Committee on Invalid Pensions.

Also, resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. ALEXANDER: Resolutions of Tar and Gravel Roofers' Union No. 8450, of Buffalo, N. Y., for the exclusion of illiterate immigrants—to the Committee on Immigration and Naturalization.

By Mr. APLIN: Resolutions of Ship Carpenters' Union No. 8511, West Bay City, Mich., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization. Also, petition of St. Stanislaus Benevolent Society, of Alpena, Mich., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

Also, resolutions of Merchants and Manufacturers' Exchange of Detroit, Mich., favoring a reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the same, favoring House bill 8337, to amend an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. BATES: Petition of Marine Engineers' Beneficial Association, relating to licensing marine engineers—to the Committee on the Merchant Marine and Fisheries.

By Mr. BULL: Protest of Hugh P. Mulholland, of North Tiverton, R. I., against provision for a representative of the United States at the coronation of the King of England—to the Committee on Foreign Affairs.

By Mr. DALZELL: Petitions of Polish societies of Pittsburg and Braddock, Pa., favoring House bill 16, for the erection of an equestrian statue of the late General Pulaski at Washington, D. C.—to the Committee on the Library.

Also, resolutions of Brotherhood of Railroad Trainmen of

Sharpsville, Pa.; Order of Railway Conductors of Sunbury, Pa.; Brotherhood of Locomotive Engineers of Lebanon and Greensburg, Pa., and Locomotive Firemen of Harrisburg, Pa., favoring the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Brotherhood of Railroad Trainmen of Easton, Pa., for the enactment of the Foraker-Corliss bill, amending the law relating to safety appliances—to the Committee on Interstate and Foreign Commerce.

Also, petition of Typographical Union of Philadelphia, Pa., urging the defeat of House bill 5777 and Senate bill 2894, amending the copyright law—to the Committee on Patents.

Also, petition of Bricklayers' Union No. 2, of Pittsburg, Pa., in favor of the extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. DAYTON: Petition of United States Naval Volunteers of the Spanish-American war for two months' extra pay—to the Committee on Naval Affairs.

By Mr. DOVENER: Petition of Burley Clemens and 22 other citizens of Marshall County, W. Va., in favor of House bills 178 and 179, reducing the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. DRAPER: Memorial of the New York Produce Exchange, favoring House bill 8337, to amend an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Resolutions of the Wisconsin Closing Farmers' Institute, Oconomowoc, Wis., relative to the coloring of oleomargarine—to the Committee on Agriculture.

Also, resolutions of the same institution, in favor of the rural free-delivery system—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the same, favoring a bill for the establishment and maintenance of schools of mines and mining—to the Committee on Mines and Mining.

By Mr. FITZGERALD: Resolution of Levi P. Morton Club, of Brooklyn, N. Y., and Coopers' Union No. 2, of New York, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of the National Association of State Dairy and Food Departments, for uniform legislation for the conduct of said departments—to the Committee on Interstate and Foreign Commerce.

Also, memorial of New York Produce Exchange, in relation to amendment of the interstate-commerce acts—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of American Federation of Labor, Brotherhood of Locomotive Engineers, and other labor organizations, in favor of the extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. GREENE of Massachusetts: Resolution of Polish Society No. 36, of New Bedford, Mass., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

By Mr. GREEN of Pennsylvania: Resolutions of Honest Workers' Lodge, No. 25, Reading, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Stove Mounters' Union No. 42, Reading, Pa., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, petition of citizens of Robesonia and vicinity, in the State of Pennsylvania, favoring an amendment to the Constitution making polygamy a crime—to the Committee on the Judiciary.

By Mr. HEMENWAY: Resolutions of Federal Labor Union No. 9310, of Petersburg, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. JONES of Washington: Petition of J. W. Jackson and other citizens of Centerville, Wash., in relation to rebates on pre-emptions on public lands—to the Committee on the Public Lands.

Also, petition of steamboat owners, pilots, and others, in relation to rules and regulations for gasoline launches—to the Committee on the Merchant Marine and Fisheries.

By Mr. LACEY: Papers to accompany House bill 18457, granting a pension to John S. Crosser—to the Committee on Invalid Pensions.

By Mr. LASSITER: Paper to accompany bill for the relief of the estate of Peter McEnery, deceased—to the Committee on War Claims.

By Mr. LAWRENCE: Petitions of 639 lodges and divisions of Brotherhood of Locomotive Engineers, Railroad Trainmen, Order of Railroad Telegraphers, and Railway Conductors from various States, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Resolution of New York Produce Exchange, favoring House bill 8337 and Senate bill 3575, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. MANN: Papers to accompany House bill 9437, granting a pension to Elias A. Calkins—to the Committee on Invalid Pensions.

By Mr. MARTIN: Resolution of Typographical Union No. 218, of Sioux Falls, S. Dak., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. McCALL: Petition of Central Labor Union of Cambridge, Mass., favoring a restriction of the immigration of cheap labor from Europe to the United States—to the Committee on Immigration and Naturalization.

By Mr. MIERS of Indiana: Paper to accompany House bill 6171, for the relief of James L. East—to the Committee on Military Affairs.

By Mr. MORRELL: Resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. MUTCHLER: Paper to accompany House bill 13336, to amend the military record of Samuel Snyder—to the Committee on Military Affairs.

Also, paper accompanying House bill 13149, to remove charge of desertion from the military record of James Heiney—to the Committee on Military Affairs.

Also, papers to accompany House bill 13373, granting an increase of pension to A. W. Marsh—to the Committee on Invalid Pensions.

By Mr. PARKER: Resolutions of Masons' Union No. 16, of Newark, N. J., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Essex Trades Council and Feeders and Pressmen's Union No. 19, of Newark, N. J., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RIXEY: Paper to accompany House bill for the relief of Lebanon Union Church, Lincolnia, Fairfax County, Va.—to the Committee on War Claims.

By Mr. ROBINSON of Nebraska: Papers to accompany House bill 13463, granting an increase of pension to Hiram A. Hober—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Memorial by the National Association of State Dairy and Food Departments, in favor of uniform legislation for the conduct and operation of the said departments—to the Committee on Agriculture.

Also, resolutions of Coopers' International Union No. 2, of New York City, in favor of the proposed increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the New York Produce Exchange, favoring House bill 8337 and Senate bill 3575, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Resolutions of Polish Roman Catholic Union, No. 202, of Buffalo, N. Y., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

Also, petition of the National Association of State Dairy and Food Departments, in favor of uniform legislation for the conduct and operation of said departments—to the Committee on Interstate and Foreign Commerce.

Also, memorial of New York Produce Exchange, concerning proposed amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. SALMON: Petitions of citizens of Belvidere, N. J., and Warren County, N. J., for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

Also, resolutions of Typographical Union No. 433, of Dover, N. J., in favor of the extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SMITH of Illinois: Resolutions of the Labor Union No. 8203, of Duquoin, and No. 9280, of Metropolis, Ill., and Labor Union of Anna, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Resolution of Bricklayers' Union No. 215, New Haven, Conn., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STARK: Resolution of McKinney Post, No. 102, Grand Army of the Republic, of Shelby, Nebr., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. STEELE: Petition of C. Allman and others of Huntington, Ind., urging the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

By Mr. TIRRELL: Resolutions of Central Labor Union of Fitchburg, Mass., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. TOMPKINS: Petition of Painters and Paper Hangers' Union No. 122, of Newburgh, N. Y., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization.

Also, resolutions of Millard Division, No. 104, Railway Conductors, Middletown, N. Y., favoring a further restriction of Chinese Immigration—to the Committee on Foreign Affairs.

SENATE.

WEDNESDAY, April 9, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HARRIS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

O. H. P. WAYNE.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of O. H. P. Wayne v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

JOSIAH J. BRYAN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of John Bryan, administrator of Josiah J. Bryan, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. J. W. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 11535) for the protection of game in Alaska, and for other purposes; and

A joint resolution (H. J. Res. 173) to authorize the Commissioners of the District of Columbia to issue certain temporary permits.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2442) confirming title to the State of Nebraska;

A bill (H. R. 10117) granting a pension to Sarah H. H. Lowe; and

A bill (H. R. 10530) to repeal war-revenue taxation, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented a petition of Stone Masons' Local Union No. 5, of Seattle, Wash., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of Stonemasons' Local Union No. 5, of Seattle, and of Carpenters' Local Union No. 98, of Spokane, in the State of Washington, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

Mr. CLARK of Montana presented a petition of the Montana State Agricultural Association, praying for the enactment of legislation providing for the irrigation of the arid lands of the West; which was ordered to lie on the table.

He also presented a petition of Local Division No. 191, Order of Railway Conductors, of Glendive, Mont., praying for the re-enactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of Mill and Smelters' Local Union No. 117, American Federation of Labor, of Anaconda, Mont., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a memorial of Typographical Union No. 126, American Federation of Labor, of Butte, Mont., remonstrating against the adoption of certain amendments to the present copyright law; which was referred to the Committee on Patents.

Mr. CARMACK presented petitions of Bricklayers' Local Union No. 1, of Memphis; of Retail Clerks' Local Union No. 151, of Memphis, in the State of Tennessee; of the American Federation of Labor, the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen, the Order of Railway Conductors, the Brotherhood of Railway Trainmen, the Order of Railway Telegraphers, the Sailors' Union of the Pacific, the In-

ternational Seamen's Union of America, and the Chinese-Exclusion Commission of California, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

He also presented petitions of Paper Hangers' Local Union No. 83, of Barbers' Local Union No. 79, of the Nashville Typographical Union, and of Plasterers' Local Union No. 91, of Nashville; of Beer Bottlers' Local Union No. 195, of the Marine Engineers' Beneficial Association No. 20, of Switchmen's Local Union No. 127, and of Bricklayers' Local Union No. 1, of Memphis; of Knoxville Typographical Union, No. 111, and of Paper Hangers' Local Union No. 14, of Knoxville; of Painters, Decorators, and Paper Hangers' Local Union No. 226, and of Iron Molders' Local Union No. 53, of Chattanooga; of Tobacco Workers' Local Union No. 52, and of Iron Molders' Local Union No. 355, of Bristol; of Clarks-ville Typographical Union, No. 436, of Clarksville, and of Iron Molders' Local Union No. 165, of South Pittsburg, all in the State of Tennessee, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Antrim, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. DOLLIVER presented a petition of the Business Men's Association of Davenport, Iowa, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Bankers' Association of Cedar Rapids, Iowa, praying for the repeal of the present bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Business Men's Association of Pella, Iowa, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry papers to accompany the bill (S. 1261) granting a pension to Nathan L. Faulkner; which were referred to the Committee on Pensions.

He also presented petitions of Local Division No. 93, of Fort Dodge; of Lodge No. 130, of Eagle Grove; of Lodge No. 86, of Perry; of Lodge No. 520, of Council Bluffs; of Lodge No. 430, of Lake City; of Lodge No. 133, of Clinton; of Lodge No. 515, of Fort Madison; of Lodge No. 352, of Estherville, and of Lodge No. 56, of Twin City, all of the Brotherhood of Railroad Trainmen, in the State of Iowa, praying for the passage of the so-called Foraker-Corliss safety-appliance bill; which were referred to the Committee on Interstate Commerce.

He also presented petitions of Coopers' Union No. 426, of Ottumwa; of Local Union No. 162, of Ottumwa; of Painters' Local Union No. 136, of Ottumwa, and of Local Union No. 313, of Ottumwa, all of the American Federation of Labor; of Local Union No. 869, United Mine Workers of America, of Boonsboro, and of Lodge No. 138, Brotherhood of Railroad Trainmen, of Eagle Grove, all in the State of Iowa, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented petitions of Painters, Decorators, and Paper Hangers' Local Union No. 548, American Federation of Labor, of Fairfield, and of Lodge No. 29, Brotherhood of Locomotive Firemen, of Mason City, all in the State of Iowa, praying for the re-enactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of Lodge No. 515, Brotherhood of Railroad Trainmen, of Fort Madison; of Local Union No. 548, American Federation of Labor, of Fairfield, and of the Painters, Decorators, and Paper Hangers' Local Union No. 83, American Federation of Labor, of Keokuk, all in the State of Iowa, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a petition of Lodge No. 515, Brotherhood of Railroad Trainmen, of Fort Madison, Iowa, praying for the enactment of legislation providing for the exclusion of all alien labor coming into this country; which was referred to the Committee on Education and Labor.

Mr. FAIRBANKS presented a petition of Federal Labor Union, No. 9370, American Federation of Labor, of Petersburg, Ind., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. HOAR presented a petition of the Central Labor Union of Fitchburg, Mass., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. QUAY presented a petition of Onoke Lodge, No. 211, Brotherhood of Locomotive Firemen, of Easton, Pa., praying for the